



## **COUNCIL MEETING NOTICE/AGENDA**

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**DATE:** Wednesday, January 16, 2013

**TIME:** 10 a.m. – 5 p.m.

**LOCATION:** DoubleTree by Hilton  
2001 Point West Way  
Sacramento, CA 95815  
(916) 924-4900

*Pursuant to Government code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Robin Maitino at (916) 322-8481 or email [robin.maitino@scdd.ca.gov](mailto:robin.maitino@scdd.ca.gov). Requests must be received by 5:00 pm, January 8, 2013.*

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| 2. <b>ESTABLISHMENT OF QUORUM</b>   | J. Aguilar |             |
| 3. <b>WELCOME/INTRODUCTIONS</b>   | J. Aguilar |             |
| 4. <b>INTRODUCTION OF AIDD TEAM</b>   | R. Newton  |             |
| 5. <b>PUBLIC COMMENTS</b>   |            |             |
| <p><i>This item is for members of the public only to provide comments and/or present information to the Council on matters <b>not</b> on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first. The Council will provide a public comment period, not to exceed a total of seven minutes, for public comment prior to action on each agenda item.</i></p> |            |             |
| 6. <b>APPROVAL OF DECEMBER MEETING MINUTES</b>  | J. Aguilar | 4           |

**7. CLOSED SESSION – PERSONNEL**

J. Aguilar

Pursuant to Government Code 11126 (a)(1) the committee will have a closed session to consider the appointment, employment, evaluation of performance of a public employee.

**8. RECONVENE IN OPEN SESSION**

J. Aguilar

Announcement of any action taken during closed session.

**9. SENATE BILL 946 PRESENTATION**

H. Pearson

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**10. COMMITTEE REPORTS**

**A. Executive Committee**

J. Aguilar

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R. Ceragioli

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**E. Employment First Committee**

O. Raynor

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**F. Program Development Committee**

M. Polit

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| i. | RFP for Self-Advocacy Grant |  |
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**G. Self-Advocates Advisory Committee/  
Statewide Self-Advocacy Network**

J. Allen

**11. REGIONAL CENTER CONFLICT OF INTEREST  
WAIVER REQUEST**

M. Corral

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For additional information regarding this agenda, please contact Robin Maitino,  
1507 21<sup>st</sup> Street, Suite 210, Sacramento, CA 95811, (916) 322-8481

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14.	<b>COUNCIL MEMBERS' UPDATES</b>	All	
15.	<b>ADJOURNMENT</b>	J. Aguilar	



## DRAFT

### Council Meeting Minutes December 4, 2012

#### **Members Present**

April Lopez  
Catherine Blakemore  
Dan Boomer  
Jennifer Allen  
Jonathan Clarkson  
Jorge Aguilar  
Kecia Weller  
Kerstin Williams  
Michael Wilkening  
Leroy Shipp  
Max Duley  
Molly Kennedy  
Olivia Raynor  
Ray Ceragioli  
Robin Hansen  
Sarah Ludeman  
Terri Delgadillo  
David Forderer  
Janelle Lewis  
Jeff Riel

#### **Members Absent**

Patty O'Brien-Peterson  
Robert Jacobs

#### **Others Attending**

Anonymous  
Anastasia Bacigalupo  
Angie Lewis  
Austin Taylor  
Bob Phillips  
Carmela Garnica  
Chris Arroyo  
Chris Olave  
David Grady  
Dawn Morley  
Dena Hernandez  
Dwight Aaron  
Eric Gelber  
Holly Bins  
Joan Burg  
Joe Bowling  
Joe Meadours

#### **Others Attending** (continued)

Kara Read-Spangler  
Kris Kent  
Kristie Allensworth  
Lisa Cooley  
Lisa Davidson  
Lois Cissell  
Mark Starford  
Mary Agnes Nolan  
Mary Ellen Stives  
Maureen Fitzgerald  
Melissa Corral  
Michael Rosenberg  
Roberta Newton  
Robin Maitino  
Robin Rhoades  
Rocio Smith  
Sarah Greenseid  
Sarah May  
Vicki Smith  
Wayne Glusker  
Willie West

#### 1. **CALL TO ORDER/ESTABLISHMENT OF QUORUM**

Leroy Shipp, Chairperson called the meeting to order at 10:10 a.m. and a quorum was established.

#### 2. **WELCOME AND INTRODUCTIONS**

Leroy Shipp welcomed everyone and presented a plaque to Lisa Cooley to acknowledge her for her years of service on the Council.

Jorge Aguilar also presented a plaque to Leroy Shipp acknowledging him for his years of services the Council's chairperson.



Members and others attending introduced themselves.

### **3. PUBLIC COMMENT**

Anonymous spoke stating that there was an error in the September minutes. When he spoke at the last meeting he stated that he had had completed the appeals process with the Disability Rights Advocates and had written to the Governor asking him to decertify them as California's protection and advocacy system. Anonymous expects a response from the Governor's office in January. Anonymous went on to state that Golden Gate Regional Center (GGRC) is not abiding by the transparency provision of trailer bills. He has been to their office 14 times to look at the employment contracts and not once has he been able to look at a single contract. Anonymous also stated the listing of contractors/vendors that was available on the web is not only inadequate information but is also no longer made available on the web. He continues to try and investigate allegations of psycho surgery without client consent which he states is a violation Penal Code Section 2670. Anonymous has written the Department of Developmental Services on four occasions with no response and delivered letters to Mark Hutchinson and Terri Delgadillo. Anonymous verified to Director Delgadillo that his contact information was included on the letters.

Maureen Fitzgerald provided a handout and spoke to the Council in an effort to resolve an ongoing issue with Harbor Regional Center regarding referrals to the day program, Advocacy for Respect and Choice (AR&C). Ms. Fitzgerald's handout provided just one example of Harbor Regional Center's refusal to grant a client's choice to attend AR&C, which is a violation of the Lanterman Act, and stated that she would like our assistance in resolving this issue. Ms. Fitzgerald has also attempted to go the Department of Developmental Services who stated that would monitor this issue. This attempt at a resolution is not satisfactory to her and if not resolved, she has stated that she would go to the press

Joe Meadours, former Executive Director of People First of California provided a letter from the President to the Council and spoke regarding rumors of his dismissal from People First in 2011. Mr. Meadours stated he was not terminated but in fact resigned due to health issues and received nothing but support from PFCA who worked with him to get him healthy.

Mr. Meadours is now working for PFCA again as a project coordinator and is hopeful that the Council and PFCA could form a partnership once again.

Willie West with Area Board 1 read the following letter from Patty O'Brien:

Begin....Mr. Chairman, how can the councilmembers make intelligent decisions when information is withheld? Concern about activities which on the surface do not benefit the population you are supposed to represent. Why were the area letters not shared with the councilmembers? What was the rationale? We are suggesting the search for a new executive director encompasses all of the states, not just California. Learn from the mistakes of the former regime. Should they attempt to influence our choice, remember the critical situation we are in as a result of poor decision making and we have to waste scarce resources to correct? End....

Austin Taylor, Chair of the Statewide Self-Advocacy Network (SSAN), spoke about the diversity and span of participation from around the State. Mr. Taylor stated that it is an honor to serve with self-advocates that have such a desire to advocate not only for themselves but all those with developmental disabilities throughout California. The last meeting took place November 14 and 15, 2012, members spent the first day giving updates and being made aware of the possible self-advocate contract termination; while the second day was spent brainstorming and focusing on what members liked about the makeup of the current Network and what members would like to see in a future contract. Members exercised their voices while area board executive directors aided in the facilitation of member ideas and subsequently recorded a top ten list of ideas. Mr. Taylor compared SSAN to an information superhighway. He also thanked Roberta Newton for her guidance and leadership in making sure SSAN continues to meet during the impending RFP process. The next meeting is scheduled to take place in February 2013.

Lisa Davidson introduced herself by stating she was appointed by Governor Brown earlier this year to serve on Area Board 10 and looks forward to serving not only her area but also the Council as she was recently elected by her full board to represent them on the Council. Ms. Davidson is currently awaiting approval from the Governor's office and hopes to be joining the Council soon.

Anastasia Bacigalupo, Executive Director of Area Board 9 spoke regarding she and Mary Ellen Stives efforts to bring some resolution to the implementation issues surrounding Senate Bill 946. Thus far they have met with the Department of Health Care Services and scheduled to meet with the Department of Managed Care on December 5<sup>th</sup>.

Carmela Garnica, Area Board 12 member spoke stating that she is also a Governor's appointee and is awaiting appointment to the Council as a representative of her area. Ms. Garnica is from Blythe, which is by the Mexican border. Her area is in desperate need of services since they are in such an isolated area. She is eagerly awaits her appointment to the Council.

#### **4. APROVAL OF SEPTEMBER 2012 MEETING MINUTES**

It was moved/seconded (Weller/Boomer) and carried to approve the September 12, 2012, Council meeting minutes presented. (1 abstention)

#### **5. COUNCIL MEMBER UPDATES**

Kecia Weller attended the U.S. premiere of the film "The R Word". . The film was supported by Tarjan Center, the Lanterman Regional Center, and the film industry.

Molly Kennedy reported that her area is working on the third year plan for the college training for young individuals with developmental disabilities. They named the project "Project College". The training is scheduled to take place in July 2013. Her area also continues to work on transition issues and building a stronger education component for youth and their parents. Molly also attended the TASH Conference on behalf of the Council and presented at two workshops, one on registration and one on self-advocacy. Both workshops were well received and handouts are available for anyone who is interested.

Jonathan Clarkson, Department of Health Care Services (DHCS), attended the California Committee on Employment for People with Disabilities. DHCS is also working on the Strategic Plan to increase the employment opportunities for people with disabilities.

Terri Delgadillo, Department of Developmental Services, reported that while Proposition 30 has passed, the budget situation is still tight. DDS is currently working on the budget that will come out in January.

DDS continues to address the issues at Sonoma Developmental Center. They attended a Legislative hearing where they provided the status and progress of the issues there. DDS is still waiting on the licensing review report and Patricia Flannery is currently the Acting Director. Patricia is working on moving forward and addressing issues one by one.

Terri also reported that the trailer bill language passed in July was very significant. Included in the language was a moratorium on admissions to the developmental centers. The language also required a number of other things including setting up of a statewide specialized resource service which is now up and running. This new resource service has already proven to be helpful.

There is still a lot of work to do for the Lanterman Closure. The Legislature is pushing for a closure date but Terri is reluctant due to the past experience with the Agnews closure. She continues to update them on milestones and progress. Homes are being developed specifically for the move and they are currently working on the licensing phase and preparing for occupancy.

Jeff Riel, Department of Rehabilitation, reported that the Department is currently implementing the team model approach to vocational rehabilitation services which will be rolled out on January 1<sup>st</sup>. The model will provide consumers with multiple points of contact instead of just one. The Department is also working on the program College to Career which provides academic and regional training to consumers.

Dan Boomer, Department of Education, attended a stakeholders meeting regarding state grants where they discussed the various components of the Department's state performance plan.

April Lopez provided an update on her progress with Senator Correa regarding training for classroom aides. Progress has been great as they continue to meet and educate the community on the need for more training of classroom aides.

Jennifer Allen will be presenting at a local high school before the end of the year. She is also planning to attend a regional meeting of People First in January.

David Forderer introduced himself as the newest member of the Council and brought the current quorum issues with Area Board 7 to the attention of the Council. David went on to state that due to a lack of members, the Area Board is unable to take any action on items brought before the board.

Kerstin Williams reported that Area Board 6 has selected a grant for transition to life to help students with disabilities learn the ropes of adulthood. The grant started on October 1, 2012. Dena Hernandez received an award at the Supported Life Inclusion Ceremony for all her work on building inclusion. Kerstin also gave a presentation on the Self-Advocacy Advisory Committee to 175 self-advocates from her area at the November area board meeting. The next board meeting is scheduled for January 22, 2013.

Jorge Aguilar commended the staff, area boards, and members for their dedication and service and reminded the Council of its purpose, which is to improve and increase services to individuals with DD and their families.

Janelle Lewis spoke about an organization called Families for Early Autism Treatment. Janelle has been a part of this organization for over a decade. They are a donation supported organization that's purpose is to make sure parents are informed, supported, and have access to all the services they need.

Leroy Shipp reported that Area Board 2's Cycle 35 Grant awardee, FOCUS Film's, held a very successful event on October 11-13, 2012. Opening night was attended by 270. FOCUS Film also produced a consumer-employment film, "that's me" featuring consumers who have real jobs in their communities and it was well received. Also the festivals' promotion campaign allowed for greater exposure to the event and increased collaboration with Chico State's Office of Diversity and Inclusion.

The Butte County Coordinating Council's 17<sup>th</sup> Annual Recognition Celebration was held on October 18, 2012. AB2 is a major sponsor of this event which recognized 31 individuals who made a difference in the developmental disabilities field. This event was very well received and attended by over 200 individuals that include consumers, professionals, families, and direct-care staff.

**6. DUES FOR THE NATIONAL ASSOCIATION OF COUNCILS ON DEVELOPMENTAL DISABILITIES**

It was moved/seconded (Aguilar/Kennedy) and carried to approve the payment of dues to the National Association of Councils on Developmental Disabilities.

**7. COMMITTEE REPORTS**

**a. Self-Advocates Advisory Committee (SAAC)/ Statewide Self-Advocates Network (SSAN)**

Jennifer Allen passed out SAACs 2012-2015 Annual Plan. The plan is based on the committee's purpose and will be distributed to SSAN. The key areas of the plan include staying informed about developmental center abuse reporting and CRPD. Jennifer reported that CRPD failed with a 61 yes and 38 no vote. She would like the Council to write a letter to Senate thanking them for their support. SAAC is also recommending that the Council pursue proposing self-determination legislation.

Jennifer also reported on SSAN stating that she continues to be impressed by the way the members have come together. There was some concern given the current BRC contract situation but after the work that took place at the November 14-15 meeting, she has hope and is sure that the Network will be around for a long time.

**b. Employment First Committee (EFC)**

Olivia Raynor reported that EFC is in the process of finalizing their report to the Legislature. They have also developed a subcommittee

to do planning for next year. Olivia also acknowledged Mark Polit and Ruby Villanueva for all their support.

c. Legislative and Public Policy

- (i) Employment First Policy – It was moved/seconded (Forderer/Kennedy) and carried to adopt the Committee's recommendation to sponsor a bill to establish an Employment First Policy into law. (1 abstention)
- (ii) Self-Determination - It was moved/seconded (Forderer/Kennedy) and carried to adopt the Committee's recommendation to explore sponsoring a bill on self-determination. (1 abstention)
- (iii) State and Federal Budget Impacts – Mark Polit provided an update regarding the state budget, state propositions, and federal sequestration. If Congress and the Obama Administration do not act before January, automatic cuts of 8.2% will take place across much of federal non-entitlement spending, including the Federal DD Act. It was moved/seconded (Forderer/Kennedy) and carried to adopt the Committee's recommendation to write the California Congressional Delegation and inform them of the impact that these cuts would have on individuals with developmental disabilities and for the Council to oppose those measures. (1 abstention)
- (iv) Regional Center Conflict of Interest Regulations –

DDS adopted emergency regulations regarding regional center conflict of interest (CIO) standards and procedures. The regulations are coming up for review shortly. The regulations reflect current statute that requires the local area board and the Council to review waivers of CIO for regional center board members. The regulations also add a requirement, which is not in statute, for the local area board and the Council to review COI waiver requests for regional center executive directors.

After review, the Committee recommended that the Council provide comments and recommendations to DDS that would include language to remove both statutory and regulatory

language that requires the Council and local area board from approving COI waivers.

Following considerable discussion, it was moved/seconded (Forderer/Boomer) and carried to seek an additional legal opinion from HR regarding this matter.

d. Program Development/Ad-Hoc Review Committee

- (i) Cycle 35 Grant Funding Recommendation – the Ad-hoc committee was tasked with the review of the Jay Nolan Community Services proposal for deliverables and evaluation component. Upon review and subsequent clarification from Jay Nolan, the Ad-Hoc Committee is recommending that the Council fund Jay Nolan for one year with a possible second year of funding.

It was moved/seconded (Kennedy/Weller) and carried to fund Jay Nolan Community Services for one year with the possibility of second year funding.

e. Executive Committee

- (i) Review of Committee Structures – The SCDD bylaws contain the structure and provisions of SCDD committees. Prior to November 2010, the bylaws provided for an Administrative Committee which was eliminated by Council action during the November 2010 Council meeting.

In reviewing the recommendations of the Department of Finance letter dated August 27, 2012 and SCDDs current and former bylaws, this Committee recommends the re-establishment of the Administrative Committee as a standing committee and that the current Ad-Hoc Administrative Committee is renamed the Ad-Hoc Selection Committee.

It was moved/seconded (Kennedy/Blakemore) and carried to re-establish the Administrative Committee as a standing committee with similar functions and responsibilities as before and transfer the responsibility of contract review/investigation



from the Ad-Hoc Administrative Committee to the Administrative Committee.

It was moved/seconded (Kennedy/Allen) and carried to rename the Ad-Hoc Administrative Committee the Ad-Hoc Selection Committee for the screening, selection and initial interview of potential candidates for executive director with reporting directly to the Executive Committee. The Executive Committee may conduct secondary interviews and make the final recommendation to the full Council where final interviews could be conducted.

- (ii) Recommendation for Department of Finance Audit – Roberta Newton provided an update to the Council regarding this recommendation. Following the recommendation of the Executive Committee, that the Council ask DOF to conduct a more in-depth audit, Roberta Newton and Michael Wilkening discussed this matter. Mr. Wilkening indicated that DOF was backed up in terms of workload so he offered the use of the Department of Health Care Services' Audit and Investigations Unit. Subsequently, SCDD is currently working with DHCS on a more complete and expanded audit. Roberta will keep the Council apprised to the results of this audit.
- (iii) Independent Investigation of Personnel Issues – Based on the review of the prior Executive Director's evaluation and the number of specific comments that were made regarding Council operations, SCDD has launched an independent personnel investigation. It is anticipated that a final report will be available for review at the January Council meeting.

It was move/seconded (Blakemore/Kennedy) and carried to provide Councilmembers access to the whistle blower complaints which will be done by allowing Councilmembers to go to the Council office to review the materials. Council will seek advice from CalHR about further distribution.

- (iv) Reorganization of Headquarters – the Committee recommended the following changes to the 8/31/12

Organizational Chart: provide for three deputy directors, the current Deputy for Policy and Planning, a renamed Deputy for Area Board Operations, and a third Deputy for Administration to replace the current SSM II Administrative Services Manager.

It was moved/seconded (Delgadillo/Hansen) and carried to table this temporarily and come back again in the near future after we have had more discussion and brought an Executive Director in.

- (v) BRC Contract and Annual Report – Due to the manner in which the Council executed this contract, the Committee recommends that the grantee be given 30 days' notice of intent to terminate the contract without cause. Further it was recommended that the Council design a new RFP as quickly as feasible and widely disseminate.

It was moved/seconded (Blakemore/Ceragioli) and carried to accept the recommendation of the Executive Committee with two additions. The first that the RFP be reviewed by the Council at the January meeting. The second part is that the contract not be awarded until we get the audit from the Department of Health Care Services so that we are certain we are not doing anything else that we should not be doing.

- (vi) Policy for Representation at Outside Events – It was moved/seconded (Blakemore/Lewis) and carried to approve the Council Member Policy for Representation at Outside Events as presented.
- (vii) Conference Attendance Policy – It was moved/seconded (Weller/Boomer) and carried to adopt the Conference Attendance Policy dated November 7, 2012.
- (viii) Orientation of New Members – It was moved/seconded (Forderer/Weller) and carried to resume the implementation of an Orientation for new Council members.

- (ix) Appointment of Interim Executive Director – In consideration of the other recommendations made by the Committee during the October 18, 2012 meeting regarding the committee structure and the status of current agency operations, the Committee recommended Roberta Newton as Interim Executive Director.

It was moved/seconded (Boomer/Forderer) to adopt the Executive Committee's recommendation of appointing Roberta Newton as Interim Executive Director. Vote was not called for. Discussion ensued regarding an anonymous email that was circulated to some Council members in which allegations were made regarding Roberta Newton.

It was moved/seconded (Blakemore/Kennedy) and carried to table the discussion and the motion to appoint Roberta Newton as Interim Executive Director. (1 oppose)

- (x) Location of 2013 Council Meetings – Although locations were not identified, it was moved/seconded (Kennedy/Blakemore) and carried to approve the 2013 Council meeting dates.

f. Nominating committee

- (i) Election of Officers – the Committee met on October 9, 2012 and came up with the following slate of nominations:

- Chairperson: Jorge Aguilar and Jennifer Allen
- Vice-chair: Jennifer Allen and Leroy Shipp

After public vote it was determined that Jorge Aguilar was selected as Chairperson and Jennifer Allen as Vice-Chair.

## 8. ADJOURNMENT

Meeting was adjourned at 3:45 p.m.

## **AGENDA ITEM DETAIL SHEET**

**ISSUE:** Panel presentation on implementation of SB 946 (Steinberg).

**SUMMARY:** Panelists will be:

- Dr. Louis Vismara, staff to the Senate President Pro-Tempore, Darrell Steinberg
- Catherine Blakemore, Executive Director, Disability Rights California
- Holly Pearson, Deputy Director and General Counsel, Department of Managed Health Care Services
- Eileen Richie, Executive Director, Association of Regional Center Agencies

**BACKGROUND:** In 2010, SB 946 (Steinberg) was signed into law, mandating that private insurance companies cover autism related behavioral health treatments as a medical expense. The autism community and other disability advocates worked hard in support of this legislation, so that families would have access to autism interventions through their private insurance. This requirement also leads to cost savings for the DDS and regional center budget, since it effectively transfers costs of certain autism interventions from the regional centers to private insurance, when parents have that coverage.

Area Boards have been hearing from families in their catchment areas of difficulties accessing services through their private insurance. Area Boards 9 and 13 queried their communities on the difficulties families were having, and they sought input from other Area Boards. This led to an Issue Alert (attached) that has served as a discussion piece to help address implementation issues arising from the SB 946 insurance mandate.

**ANALYSIS/DISCUSSION:** N/A

**COUNCIL STRATEGIC PLAN Goal:** Public policy in California promotes the independence, productivity, inclusion, and self-determination, of individuals with developmental disabilities and their families.

**PRIOR COUNCIL ACTIVITY:** N/A

**RECOMMENDATION(S):** N/A

**ATTACHMENT(S):** Issue Alert from Area Boards 9 and 13

**PREPARED:** Mark Polit, January 3, 2013

## ISSUE ALERT:

# SENATE BILL 946

Statewide we are seeing a multitude of issues as families with children diagnosed with autism transition from regional center funded ABA services to funding supported by private health insurance plans, under the authority of Senate Bill 946 (SB 946).

We seek your expertise in solving these problems and offer our assistance to develop meaningful solutions for these impacted families.

## Co-Pays & Deductibles

*Families across the state are having very different experiences with co-pays and deductibles. This is due in part to regional centers statewide having different approaches to co-pays (assessing who will pay the co-pay and caps on co-pays). Also there are problems with the frequency of co-pays (i.e. per therapy visit vs. per week of therapy visits) and reaching deductibles through the co-pays.*

### Actions Requested:

- ◆ Define the payment obligations associated with co-pays between health plan subscribers and regional centers.
- ◆ Define the frequency for the payment of a co-pay as associated with ABA programs ranging in 10-40 hour weekly programs (i.e. offer guidance on whether a co-pay is paid with each daily session, per week or per month).
- ◆ Define the payment obligations associated with deductibles between health plan subscribers and regional centers.
- ◆ Ensure that health plan companies are basing deductibles on actual costs and not the schedule of maximum allowances of services rate valuation of services received.

***Some regional centers only cover 25% of the co-pay; some will cover the co-pay up to a pre-determined amount.***

***Whereas, other regional centers will pay 100% of the co-pay but are refusing to cover previously funded services like parent training, clinical supervision and report writing.***



## ***Inadequate Networks of Providers***

*Families across the state are reporting that their health insurance plan has failed to contract with an adequate number of providers in their geographic area to meet the timelines as indicated by the law.*

*The result is that families experience significant delays: they wait up to 4-6 weeks for an assessment, the assessment takes another 4-6 weeks to get approved by the plan and then maybe within 1-2 weeks after that, services start. In sum, 3 1/2 months (or more) may have transpired before the child actually starts to receive services.*

### ***Actions Requested:***

- ♦ Define “adequate” for purposes of SB 946 as meaning more than 2 providers in a network.
- ♦ Define “network” for purposes of SB 946 as meaning a large and varied group of providers, adequate to serve each geographic area.

## ***Low Rates of Reimbursement***

*Families report that their health insurance plan will not panel with their current ABA provider, even if the provider has a long standing relationship with the family and/or community as a reputable provider. Families are forced to either opt for the provider offered by the plan or go “out of network” for the current provider. When families go out of network, they risk yet another battle: Will the provider be able to continue to provide services under the low rate of reimbursement?*

*Providers report that the plans are using rates that are not “usual/reasonable and customary” for their given area. The result is that the provider either passes the difference between their actual rate and that of the reimbursement rate onto to the family or the provider declines continuing to serve the family, as they cannot work for such low rates.*

### ***Actions Requested:***

- ♦ Provide guidance on usual/reasonable and customary rates for “qualified autism service providers” as stated in SB 946.

**Mary Ellen Stives, Area Board 13** (San Diego and Imperial Counties) 619-688-3323

[MaryEllen.Stives@scdd.ca.gov](mailto:MaryEllen.Stives@scdd.ca.gov)

**Anastasia Bacigalupo, Area Board 9** (San Luis Obispo, Santa Barbara, and Ventura Counties)

805-648-0220 [Anastasia.Bacigalupo@scdd.ca.org](mailto:Anastasia.Bacigalupo@scdd.ca.org)

## **COUNCIL AGENDA ITEM DETAIL SHEET**

### **ISSUE: Bylaws Review and Amendments**

**BACKGROUND:** During the December 4, 2012 Council meeting, the Council took action to re-establish the Administrative Committee as a standing committee of the Council.

The Council also discussed the addition of enabling language in the Council bylaws.

The Executive Committee reviewed the bylaws on December 11, 2012 and made revisions to the bylaws and those changes are attached.

**ANALYSIS/DISCUSSION:** The changes are highlighted in RED throughout the bylaws and are summarized below:

1. On page 3 in the table of contents, the Administrative Committee is added.
2. On page 11, the number of committees is increased to six and the Administrative Committee is added.
3. On page 11, the last sentence under section (e)(1)(a) is deleted. By eliminating this sentence, agency representatives of the Council may be appointed to the Executive Committee. (NOTE: the Executive Committee is still restricted membership to ONLY council members. The elimination of this sentence opens the membership to agency representatives whereas before, only self-advocates and family members were allowed on the Executive Committee.)
4. On page 13, begins the additional language regarding the Administrative Committee. This language is identical to the language that was removed in November 2010.
5. On page 14, section (g), the last sentence was changed to add Administrative Committee oversight of changes made to organizational charts.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COMMITTEE ACTIVITY:** None

**RECOMMENDATION(S):** Review and/or modify amendments to the bylaws and approve revised bylaws

**ATTACHMENTS(S):** None

**PREPARED:** Melissa C. Corral, December 12, 2012



# **State Council on Developmental Disabilities**



## **BY-LAWS**

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# CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

## BY-LAWS

(Revised – June 2010)

### **ARTICLE I. NAME & DEFINITIONS**

The name of this organization shall be the State Council on Developmental Disabilities.

### **ARTICLE II. RESPONSIBILITIES**

The responsibilities of the State Council on Developmental Disabilities are set forth in 42 United States Code Section 51001 et. seq. and Sections 4433.5 and 4520 et. seq. of the California Welfare and Institutions Code.

### **ARTICLE III. PRINCIPAL OFFICE**

The principal office of the Council shall be located in the County of Sacramento, California. The Council may change the principal office from one location to another within the county.

### **ARTICLE IV. AREA OF SERVICE**

The area of service shall be the State of California.

### **ARTICLE V. MEMBERSHIP**

Appointment to the Council requires each member to fully discharge his/her duties consistent with the responsibilities of representing persons with developmental disabilities. The membership of the Council shall consist of the categories of people in accordance with state and federal law.

#### **SECTION 1. Appointments:**

Pursuant to Division 4.5, Chapter 2, Article 1, Section 4521 (b)(1), (2), and (3) of the Welfare and Institutions Code, there shall be thirty-one (31) voting members on the Council appointed by the Governor, as follows:

- (a) Twenty (20) members of the Council shall be persons with a developmental disability (self-advocates) or parents, siblings, guardians or conservators (family-advocate) of these persons. In these By-laws these persons are referred to as self-advocates and family-advocates. Of the 20 members, thirteen (13) shall each be current members of the 13 Area Boards, one member from each board and representing consumers and families in their local catchment area; and, seven (7) shall be members at large that are comprised as follow: three (3) persons with developmental disabilities; one (1) person who is a parent, immediate relative, guardian, or conservator of a resident in a developmental center; one (1) person who is a parent, immediate relative, guardian, or conservator of a person with a

developmental disability living in the community; one (1) person who is a parent, immediate relative, guardian, or conservator of a person with a developmental disability living in the community nominated by the Speaker of the Assembly; and, one (1) person with a developmental disabilities nominated by the Senate Committee on Rules.

- (b) Eleven (11) members of the Council shall include: directors or members, as appropriate, of State departments or agencies or of local agencies as prescribed in state and federal laws. These persons are referred to as agency representatives in these By-laws and shall include three (3) members appointed to represent the University Centers for Excellence (UCE) programs funded by the Administration on Developmental Disabilities as the three California UCEs.
- (c) Prior to appointing the thirty-one (31) members, the Governor shall request and consider recommendations from organizations representing or providing services, or both, to persons with developmental disabilities and shall take into account socioeconomic, ethnic, and geographic considerations of the state. The Council may, at the request of the Governor, coordinate Council and public input to the extent feasible to the Governor regarding recommendations for membership.

## **SECTION 2. Term of Office:**

The term of office on the State Council shall be in accordance with state law. The term of each self or family advocate member shall be for three years. In no event shall any self or family advocate member serve for more than a total of six years.

## **SECTION 3. Conflict of Interest:**

Pursuant to California Welfare and Institution Code Section 4525 the Council's approved Conflict of Interest Policy, is incorporated by reference into these By-laws.

## **SECTION 4. Vacancies:**

A vacancy on the Council exists if any of the following events occur before the expiration of the term:

- (a) The death of the member.
- (b) An adjudication pursuant to a legal proceeding declaring that the member is physically or mentally incapacitated due to disease, illness, accident, or other condition and there is reasonable cause to believe that the member will not be able to perform the duties of office for the remainder of his/her term.
- (c) The member's resignation.
- (d) The member's removal from office.
- (e) The member's ceasing to be a legal resident of the state or the area the member was appointed to represent.
- (f) The member's absence from the state without the permission required by law beyond the period allowed by law.

- (g) The member's ceasing to discharge the duties of his/her office for the period of three consecutive meetings, except when prevented by sickness, or when absent from the state with the permission required by law. After three (3) consecutive unexcused absences, a member shall be considered as having ceased to discharge the duties of Council membership. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Council Chair or Committee Chair and to the Executive Director by telephone, email, or mail.
- (h) The member's conviction of a felony or any offense involving a violation of his/her official duties. A member shall be deemed to have been convicted under this section when trial court judgment is entered.
- (i) The member's refusal or neglect to file his/her required oath, or declaration of conflict of interests within the time prescribed after being provided notice of non-compliance and a reasonable time to comply.
- (j) The decision of a competent tribunal declaring void the member's election or appointment.
- (k) The making of a vacating order or declaration of vacancy.
- (l) The member assumes a position or responsibility that violates the Council's conflict of interest policy.

The Governor shall be notified when a vacancy occurs and shall appoint a person to serve the unexpired term of the member being replaced.

#### **SECTION 5. Resignations:**

Members shall serve a designated term unless they resign, or are otherwise disqualified to serve, or until successors have been appointed, up to the maximum years allowed by State law. Any member may resign at any time by giving written notice to the Chairperson and to the Executive Director. Such resignation shall take effect on the date of receipt of such notice or any later time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

#### **SECTION 6. Compensation and Expenses:**

Self-advocate and family advocate members of the State Council shall receive honoraria pursuant to Government Code 11564.5, and Welfare and Institution Code Section 4550 not to exceed fifty (50) days in any fiscal year. All members shall be reimbursed for authorized actual and necessary expenses incurred in connection with the performance of their duties as Council members, in accordance with state regulations in the State Administrative Manual.

### **ARTICLE VI. MEETINGS**

#### **SECTION 1. Parliamentary Authority:**

- (a) All meetings of the Council and its committees are public meetings governed by the Bagley-Keene Open Meeting Act (Government Code Section 11120, et. seq.).

- (b) Robert's Rules of Order shall be utilized as the rules for all Council and committee meetings except in instances of conflict with these By-laws, or provisions of State or federal law or regulations. The Vice-Chairperson shall serve as Parliamentarian.
- (c) The Council may adopt, from time-to-time, such policies and rules for the conduct of its meetings and affairs as may be required.

## **SECTION 2. Meetings:**

- (a) There shall be no less than six (6) and no more than twelve (12) meetings of the Council per year.
- (b) Special meetings of the Council may be called by the Chairperson or, in case of absence or inability to act by the Chairperson, by the Vice-Chairperson. In case of a refusal to act by the Chairperson, a special meeting may be called by written request of nine (9) members of the Council. Only matters specified in the written notice of the meeting shall be considered at such a meeting.
- (c) Regular or special meetings of the Council shall be held at a place, date, and time designated by the Council or selected by the Chairperson.

## **SECTION 3. Quorum:**

- (a) A quorum for the Council shall be a simple majority of the statutory required membership.
- (b) A quorum for each Council committee and sub-committee shall be a simple majority of the appointed members of that committee.

## **SECTION 4. Voting Rights of Members:**

- (a) Each member shall be entitled to one vote, to be exercised in person. Proxy voting shall not be permitted.
- (b) Except as otherwise specifically provided in State law or these By-laws, all matters submitted for determination shall be decided by a majority vote.

## **SECTION 5. Chairperson Pro Tem:**

If neither the Chairperson nor Vice-Chairperson is present to preside at a Council meeting, a chairperson pro tem shall be elected by the majority vote of the Council members present.

# **ARTICLE VII. OFFICERS**

## **SECTION 1. Officers:**

The officers of the Council shall be a chairperson and a vice - chairperson elected from among the self and family advocate members. These officers shall perform the duties described in

these By-laws.

**SECTION 2. Election of Member Officers:**

Election of officers shall occur once every two years. The election shall be held during the last meeting of the appropriate calendar year. Only self and family advocate members shall be eligible to hold office.

**SECTION 3. Voting Procedure:**

Council officers shall be elected by a majority vote. Recommendations for officers shall be in the form of nominations from the Nominating Committee. Nominations may also be received from the floor prior to the election, but subsequent to the report of the Nominating Committee.

**SECTION 4. Term of Office:**

The Chairperson and Vice-Chairperson shall be elected for a term of two years. Individuals may be elected to these positions for no more than two consecutive terms. Their term of office shall begin the first day of the new calendar year.

**SECTION 5. Vacancies:**

If the Chairperson resigns or is permanently unable to serve during the term of office pursuant to Article V Section 4, the Vice-Chairperson shall become the Chairperson for the remainder of such term. Upon the vacancy of the Vice-Chairperson's term of office or if the Vice-Chairperson resigns or is permanently unable to serve during the term of office, the Chairperson shall appoint an interim Vice-Chairperson to serve until an election is conducted. The Chairperson shall also appoint a nominating committee of at least three (3) but not more than five (5) Council members that will provide a slate of nominations for the election of Vice-Chairperson during the next appropriate Council meeting.

The voting procedure established in Article VII, Section 3 shall be used for the election process of the permanent Vice-Chairperson.

**SECTION 6. Duties of the Officers:**

- (a) Chairperson - The responsibilities of the Chairperson are: to preside at all meetings of the Council; to appoint chairpersons and members to all Council committees, except the Nominating Committees, to appoint Council representatives in relation to other agencies and consumer groups; and to represent the Council as needed. The Chairperson shall have full voting rights on all Council actions.
- (b) Vice-Chairperson - The responsibilities of the Vice-Chairperson are to perform all the duties of the Chairperson if the Chairperson is absent or if the Chairperson requests the Vice-Chairperson to do so. When acting in the capacity of the Chairperson, the Vice-Chairperson has the same authority as the Chairperson. The Vice-Chairperson also, serves as Chair of the Executive Committee and as Parliamentarian.



## **SECTION 7. Removal from Office:**

Action to remove an officer shall be in accordance with the following procedure:

- (a) Written notification must be submitted by registered mail to the Executive Director from Council member(s) describing the specific cause for which removal is sought.
- (b) The Executive Director shall notify the officer charged by registered mail within two (2) working days of receiving the charges. Any member so notified shall have ten (10) days to respond to the group or individual responsible for notification. Following this ten (10) day period, the responsible parties shall notify the Executive Director within ten (10) days as to whether or not they wish to request removal of the officer. If the responsible parties are satisfied by the officer's response that no sufficient cause exists, the matter will be closed with written notice to the Executive Director and to the officer.
- (c) If the group or individual requesting removal is not satisfied by the response of the officer or if the officer fails to respond in ten (10) days, the Executive Director shall put the issue on the agenda at the beginning of the next Council meeting and inform the Council members as to the purpose of the agenda item.
- (d) Written charges shall be distributed and reviewed at the specified meeting of the Council.
- (e) A majority vote shall be required to remove a chairperson or vice-chairperson from office. If removal of the Chairperson is under consideration, the vice-chairperson shall preside.

## **ARTICLE VIII. EXECUTIVE DIRECTOR**

### **SECTION 1. Appointment:**

- (a) The Executive Director of the Council shall be appointed by and serve at the will of the Council in a position exempt from all civil service requirements pursuant to the California Constitution, Article 7, section 4(b) and Welfare and Institutions Code Section 4551(a)(2). The appointment of the Executive Director shall occur during a regular or special meeting of the Council.
- (b) A performance review of the Council Executive Director shall be coordinated by the Executive Committee and conducted annually by the full Council.

### **SECTION 2. Responsibilities and Duties:**

- (a) The Executive Director shall be the chief administrative officer of the Council and shall have all the authority and responsibility assigned to the director of a state agency including budget, personnel, and contractual transactions. These include

authority for entering into and execution of agreements on behalf of the Council in order to implement the policies of the Council.

- (b) The Executive Director shall be under the direction and control of the Council and shall do and perform such other duties as may be assigned by the Council.
- (c) The Executive Director shall serve as clerk to the Council.

### **SECTION 3. Removal:**

- (a) Action to remove the Executive Director of the Council shall be conducted in accordance with Government Code Section 11120, et. seq.
- (b) The Executive Committee of the Council may recommend removal of the Executive Director during a regular or special meeting. This recommendation shall be taken to the Council during a regular or special meeting for discussion and action.
- (c) A majority vote, during a regular or special Council meeting, shall be required to remove the Executive Director from his or her exempt appointment.

## **ARTICLE IX. COMMITTEES**

### **SECTION 1. Authority:**

- (a) Subject to the provision of these By-laws, all committees, with the exception of the Executive Committee, shall be advisory and shall not have the power to bind the Council except when specifically authorized by the Council to do so. Recommendations made by advisory committees shall be presented to the Council for adoption in the form of a motion.
- (b) Subject to provision of these By-laws, a vacancy in the membership of a committee, except the Nominating Committee, may be filled by the Council Chairperson.
- (c) A committee may meet upon call of the chairperson of the committee or the Council Chairperson.
- (d) Unless otherwise specified in these By-laws, the Chairperson and the Executive Director of the Council shall serve ex officio, without vote, on all committees, except the Nominating Committee.
- (e) A committee member may be removed from the committee by the Council Chair after three (3) consecutive unexcused absences. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Committee Chair or Executive Director or appropriate Deputy Director by telephone, e-mail or mail.

## SECTION 2. Standing Committees:

- (a) There shall be ~~five (5)~~ six (6) standing committees of the State Council:
  - (1) Executive
  - (2) Administrative
  - ~~(2)(3)~~ Legislative and Public Policy
  - ~~(3)(4)~~ Program Development
  - ~~(4)(5)~~ Self-Advocates Advisory
  - ~~(5)(6)~~ Employment First
- (b) The chairperson and members of each of the standing committees shall be appointed by the Council chairperson. In the event of a vacancy for any reason in membership or the chair, a successor may be appointed by the Council Chairperson. In appointing standing committee chairpersons, the Council Chairperson may request volunteers from the Council's self and family advocate members. All committee chairperson appointments shall be announced to the Council at the next available Council meeting.
- (c) The membership of all standing committees, except the Executive Committee, shall be open to non-members of the Council. The expenses of non-Council members may be reimbursed on the same basis as a Council member with the exception of the honorarium.
- (d) All members of the Council shall be expected to serve on at least one standing committee of the Council.
- (e) The charge of each of these committees shall be as follows:
  - (1) Executive Committee  
The Executive Committee shall serve as the coordinating body to the Council. The Committee shall:
    - [a] Consist of the Council Chairperson, Vice-Chairperson, chairperson of the Legislative and Public Policy Committee, chairperson of the Program Development Committee, chairperson of the Strategic Planning Subcommittee, chairperson of the Self-Advocates Advisory Committee, chairperson of the Employment First Committee and two (2) other Council members. ~~One (1) shall be a self-advocate and one (1) shall be a family member of a self-advocate.~~
    - [b] Be chaired by the Council Vice-Chairperson.
    - [c] Act on behalf of the Council between meetings, but shall not modify any action taken by the Council unless authorized by the Council to

do so. The full Council at the next regular or special meeting shall receive a report of all Executive Committee actions taken between Council meetings as necessary.

- [d] Administrative matters shall be a standing agenda item at every meeting and shall include but not be limited to, budget reports, expenditure reports and other major administrative issues.
- [e] Make recommendations to the Council regarding approval of Community Program Development Grants (CPDG) projects to be funded, and allocations.
- [f] Appoint members of CPDG Grant Review team as needed.
- [g] Provide direction to the Executive Director regarding all matters pertaining to Council responsibilities.
- [h] Make recommendations to the Council regarding amendments to the By-laws, changes in committee structure or responsibilities.
- [i] Make recommendations to the Council regarding Council member training.
- [j] Make recommendations to the Council regarding the presentation of awards on behalf of the Council.
- [k] Make recommendations to the Council regarding matters assigned by the Council or the Council Chairperson.
- [l] Make recommendations to the Council regarding the appointment, evaluation, or removal of the Executive Director.
- [m] Monitor and evaluate California State Strategic Plan on Developmental Disabilities implementation and submit findings to the Council.
- [n] Review and make recommendations to the Council regarding area boards' requests to initiate litigation per Welfare and Institution Code Section 4548(g)(4) and (6).
- [o] Coordinate the Council's litigation activities, as needed, and make recommendations to the full Council.
- [p] Make appointments to and receive recommendations from the Strategic Planning Sub-Committee.

- [q] Present a slate of nominees to be elected to the Nominating Committee. Election to the Nominating Committee shall occur at the September Council meeting during election years.

#### 1. Strategic Planning Sub-Committee

The Subcommittee shall:

- (a) Advise the Executive Committee on the collection and reporting of information on needs, including unmet needs, priorities and emerging issues
- (b) Make recommendations to the Executive Committee regarding policy priorities for the California State Strategic Plan on Developmental Disabilities
- (c) Assist the Council in the implementation and reporting of the goals and objectives of the Council's California State Strategic Plan on Developmental Disabilities.
- (d) Coordinate planning implementation with the other Committees of the Council.

#### (2) Administrative Committee

The Administrative Committee shall assist with monitoring the administrative and budgetary activities of the Council. The Committee shall:

- [a] Be composed of at least three (3) Council Members
- [b] Make recommendations to the Council regarding allocation of discretionary fiscal resources and other budgetary issues.
- [c] Make recommendations to the Council regarding budgeting for anticipated fiscal resources among Council operations and specific service priorities for inclusion in the California State Strategic Plan and the Governor's budget.
- [d] Make recommendations to the Council regarding monitoring and evaluating administrative contracts and agreements.
- [e] Make recommendations to Council regarding all contracts and agreements.

[f] Monitor and evaluate administrative contracts and agreements; and take actions authorized in all Council contracts and agreements.

[g] Make recommendations to the Council regarding administrative matters and policies including organizational charts and structure.

(3) Legislative and Public Policy Committee

The Legislative and Public Policy Committee shall implement the California State Strategic Plan on Developmental Disabilities objectives as assigned by the Council. The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Review, comment and recommend positions on significant proposed legislation and/or proposed regulations.
- [c] Recommend legislation consistent with Council's responsibilities and objectives.
- [d] Recommend initiatives and policies consistent with Council responsibilities and objectives.
- [e] Provide testimony and recommendations to the Legislature with regard to matters pertaining to people with developmental disabilities.
- [f] Respond to other responsibilities as assigned by the Council or Council Chairperson.

~~(3)~~(4) Program Development Committee

The Program Development Committee shall advise the Council in the development of services and projects designed to improve the quality of life for individuals with developmental disabilities and their families

The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Make recommendations to the Council regarding the Community Program Development Grant (CPDG) application process and suggested priorities/criteria for proposals.
- [c] Develop methods to market and implement successful CPDG

projects throughout the State.

- [d] Carry out other responsibilities as assigned by the Council or the Council Chairperson.

(4)(5) Self-Advocates Advisory Committee

The Self-Advocates Advisory Committee shall advise the Council regarding self-advocacy issues involving the Council and the community. The Committee shall:

- [a] Be composed of all self-advocate members of the Council.
- [b] Advise the Council regarding self-advocate needs related to serving the Council including manners in which to ensure participation and inclusion in all meetings.
- [c] Advise the Council regarding policies, programs and any other area affecting self advocates in California.
- [d] Review materials and other Council produced information to evaluate and make recommendations regarding plain language approaches.

(5)(6) Employment First Committee

The Employment First Committee is responsible for ensuring the development of an Employment First Policy which has the intended outcome of significantly increasing the number of individuals with developmental disabilities who engage in integrated, competitive employment. The Committee shall:

- [a] Be composed of a representative from each of the following:
  - (1) The Department of Developmental Services
  - (2) The Department of Rehabilitation
  - (3) The California Department of Education
  - (4) One from each of the three University Centers of Excellence in California
  - (5) Disability Rights California
  - (6) Employment Development Department
  - (7) Family Resource Center Network
  - (8) Association of Regional Center Agencies
  - (9) Service Employees International Union
  - (10) The ARC
  - (11) Four self-advocates
  - (12) Four family advocates
  - (13) Such others as deemed needed to implement the

responsibilities of the Council.

- [b] Identify the respective roles and responsibilities of state and local agencies in enhancing integrated, competitive employment for people with developmental disabilities.
- [c] Identify strategies, best practices, and incentives for increasing integrated, competitive employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transitional planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.
- [d] Identify existing sources of employment data and recommend goals for, and approaches to measuring progress in, increasing integrated, competitive employment for persons with developmental disabilities.
- [e] Recommend legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated, competitive employment, self-employment, and microenterprises and who earn wages at or above minimum wage.
- [f] Provide an annual report to the Governor and Legislature by July 1 of each year that describes the work and recommendations of the Committee.

### **SECTION 3. Nominating Committee:**

The Nominating Committee shall provide advice to the Council relative to the bi-annual election of Council officers. The Committee shall:

- (a) Be composed of at least three (3) and not more than five (5) Council members.
- (b) Be elected by the Council at the September Council meeting from a slate of nominations presented by the Executive Committee.
- (c) Serve for one year. Be elected at least forty-five (45) days prior to the annual election.

### **SECTION 4. Committees, Sub-Committees and Ad-Hoc Committees and Task Forces:**

- (a) Committees, Sub-committees, Ad-Hoc committees and Task Forces may be



established by the Council to carry out specified California State Strategic Plan on Developmental Disabilities objectives and purposes of the Council.

- (b) The term of office and, qualifications of these groups' chairpersons and members shall be established by the Council. The membership of Sub-Committees and Ad-Hoc committees shall be open to non-members of the Council and shall be appointed by the Chairperson of the Council. The expenses of non-Council members may be reimbursed on the same basis as a Council member with the exception of the honorarium.

## **ARTICLE X. COUNCIL GENERAL PROVISIONS**

### **SECTION 1. Certification and Inspection:**

The original or a copy of the By-laws, as amended or otherwise altered to date, certified by the Council shall be recorded and kept in a book that shall be kept in a location in the principal office of the Council, and such book shall be open to public inspection at all times during office hours.

### **SECTION 2. Records, Reports and Inspection:**

- (a) The Council shall maintain adequate and correct accounts, books and records of all its business and properties.
- (b) Such records shall be kept at its principal place of business. All books and records shall be open to inspection by the Council and the general public, except those records or data regarding an employee, if such disclosure would constitute an unwarranted invasion of personal privacy, or records of the Council relating to its participation in a judicial proceeding.
- (c) An annual financial report and budgets shall be available for inspection at the Council's principal place of business.

## **ARTICLE XI. AMENDMENTS OF BY-LAWS**

Subject to the limitations of federal and state law, these By-laws shall be reviewed annually. The Executive Committee shall be responsible for the annual review of the By-laws, submitting recommendations for adoption of new By-laws and amendments or repeal of existing By-laws to the Council. These By-laws may be amended, repealed or adopted by a two – thirds majority during any regular or special meeting of the Council so long as a draft of the proposed action was submitted in writing to the Council at least ten (10) days prior to the meeting.

## **ARTICLE XII. INDEMNIFICATION**

### **SECTION 1. Definitions:**

For the purposes of this Article XII, "agent" means any person who is or was a director or

member as appropriate, officer, employee, or other agent of the Council. Proceeding means any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative, or investigative; and expenses include without limitation attorney's fees and any expenses of establishing a right to indemnification under Section 4 or 5(b) of this Article XII.

### **SECTION 2. Indemnification in Actions by Third Parties:**

The Council shall have power to indemnify any person who was or is a party or is threatened to be made a party to any proceeding (other than an action by or in the right of the Council to procure a judgment in its favor, by reason of the fact that such person is or was an agent of the Council, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Council and, in the case of a criminal proceeding, has no reasonable cause to believe the conduct of such person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of the Council or that the person had reasonable cause to believe that the person's conduct was unlawful.

### **SECTION 3. Indemnification in Actions by or in the Right of the Council:**

The Council shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action by or in the right of the Council, to procure a judgment in its favor by reason of the fact that such person is or was an agent of the Council, against expenses actually and reasonably incurred by such person in connection with the defense or settlement of such action if such person acted in good faith, in a manner such person believed to be in the best interests of the Council, and with such care, including reasonable inquiry as an ordinarily prudent person in a like position would use under similar circumstances. No indemnification shall be made under this Section 3:

- (a) In respect of any claim, issue, or matter as to which such person shall have been adjudged to be liable to the Council in the performance of such person's duty to the Council, unless and only to the extent that the court in which such proceeding is or was pending shall determine upon application that, in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for the expenses which such court shall determine;
- (b) Of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or
- (c) Of expenses incurred in defending a threatened or pending action, which is settled or otherwise disposed of without court approval, unless it is settled with the approval of the Attorney General.

### **SECTION 4. Indemnification Against Expenses:**

To the extent that an agent of the Council has been successful on the merits in defense of any proceeding referred to in Section 2 or 3 of this Article XII or in defense of any claim, issue, or matter therein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection therewith.

**SECTION 5. Required Determinations:**

Except as provided in Section 4 of this Article XII any indemnification under this Article XII shall be made by the Council only if authorized in the specific case, upon a determination that indemnification of the agent is proper in the circumstances because the agent has met the applicable standard of conduct set forth in Section 2 or 3 of this Article XII, by:

- (a) A majority vote of a quorum consisting of directors or members as appropriate, who are not parties to such proceeding; or
- (b) The court in which such proceeding is or was pending upon application made by the Council or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by the Council.

**SECTION 6. Advance of Expenses:**

Expenses incurred in defending any proceeding may be advanced by the Council prior to the final disposition of such proceeding upon receipt of an undertaking by or on behalf of the agent to repay such amount unless it shall be determined ultimately that the agent is entitled to be indemnified as authorized in this Article XII.

**SECTION 7. Other Indemnification:**

No provision made by the Council to indemnify its or its subsidiary's directors or members as appropriate, or officers for the defense of any proceeding, whether contained in the Articles, Bylaws, a resolution directors or members as appropriate, or an agreement, or otherwise, shall be valid unless consistent with this Article XII. Nothing contained in this Article XII shall affect any right to indemnification to which persons other than such directors or members as appropriate, and officers may be entitled by contract or otherwise.

**SECTION 8. Forms of Indemnification Not Permitted:**

No indemnification or advance shall be made under this Article XII, except as provided in Section 4 or 5(b), in any circumstances where it appears:

- (a) That it would be inconsistent with a provision of the Articles, these By-laws, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
- (b) That it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

## **COUNCIL AGENDA ITEM DETAIL SHEET**

**ISSUE:**     **Appointment of Interim Executive Director**

**BACKGROUND:** On August 22, 2012, the former State Council on Developmental Disabilities (SCDD) Executive Director was placed on leave by Leroy Shipp, Chairperson of the SCDD. At the same time, Mr. Shipp placed Roberta Newton in charge of SCDD operations, thereby naming her Acting Executive Director.

Since August 22, many management and administrative matters have arisen that require immediate attention and action to ensure that the SCDD complies with all State and federal mandates as well as comply with appropriate due diligence to minimize any subsequent liability.

During the September 12, 2012 Council meeting, the Council took no action to appoint an Interim Director.

On October 18, 2012 The Executive Committee recommended that the Council appoint Roberta Newton as Interim Executive Director.

On December 4, the Council tabled that decision during their meeting until such time a personnel closed session could be conducted to review the results of a confidential pending personnel investigation.

On December 11, 2012, the Executive Committee met again and continues to recommend the appointment of Roberta Newton to Interim Executive Director.

**PRIOR COMMITTEE ACTIVITY:** Executive Committee recommended the appointment of Roberta Newton to Interim Executive Director on October 18, 2012 and December 11, 2012.

**RECOMMENDATION(S):** The Executive Committee continues to recommend Roberta Newton for appointment as Interim Executive Director.

**ATTACHMENTS(S):** None

**PREPARED:**     Melissa C. Corral, December 12, 2012

## **AGENDA ITEM DETAIL SHEET**

**ISSUE:** Submission of Council Complaint to Attorney General's office for review and possible action.

**BACKGROUND:** There are three areas within the developmental disabilities system that prohibit the use of state funds in influencing pro- or anti-unionization: 1). In the Standard Agreements (aka contracts) between Regional Centers and the California Department of Developmental Services; 2). In California Welfare and Institutions Code Section 4638 (Lanterman Act), and; 3). In California Government Code Sections 16645 through 16649.

The Area Board 12 office received a letter of complaint dated August 28, 2012 alleging numerous contract violations by Inland Regional Center. Area Board 12 reviewed the evidence submitted with the complaint and issued a letter October 10, 2012 to the Board of Inland Regional Center (IRC) and to the Department of Developmental Services (DDS). Area Board 12's letter identified concerns regarding the alleged violations of IRC's contract with the state (DDS) specific to the provision titled "restricted use of funds". The letter from Area Board 12 also included a copy of the evidence submitted with the original complaint letter (copy of memo from IRC Executive Director mandating that all staff attend a June 13, 2012 meeting and a recording of such meeting). At that meeting the Executive Director, when speaking about the union, clearly stated "So don't lose. Don't lose your voice, your money -- just for empty promises. Vote No." Further, Area Board 12 found that no portion of the mandatory all staff meeting was focused on assisting staff in better serving regional center consumers or in creating a higher level of commitment to direct service coordination.

On November 19, 2012 IRC issued a response letter to the Area Board 12 Chairperson and DDS. Such letter questions whether Area Boards have the authority to review such regional center practices and suggests, at great length, that the restriction on the use of funds in the state contract between DDS and regional centers is unenforceable.

**ANALYSIS/DISCUSSION:** IRCs response letter of November 19, 2012 contends two distinct issues: 1. That SCDD and Area Boards do not have the authority to review regional center policy and practices. 2. That the restriction on the use of state funds for activities either in support of or in opposition to

employee unionization via their contract with DDS would be found "unenforceable" by a court. While the letter from IRC references numerous legal cases, we do not agree with the outcome of their analysis. We believe that a recipient of state funds has a requirement to comply with the terms of their contract, including Welfare and Institutions Code, Section 4638 (Lanterman Act) as well as California Government Code Sections 16645 through 16649. It is paramount to note that the concern of Area Board 12 does not surround the issue of IRCs staff and whether they unionize but rather the use of state funds intended to support direct client service delivery being used improperly.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COMMITTEE ACTIVITY:** None

**RECOMMENDATION(S):** Refer matter to Attorney General's office for review and possible action.

**ATTACHMENTS(S):**

- 1). Complaint letter to Area Board 12 of August 28, 2012.
- 2). Letter from Area Board 12 to the Inland Regional Center Board and Department of Developmental Services dated October 10, 2012.
- 3). Letter from Inland Regional Center to Area Board 12 dated November 19, 2012.

**PREPARED BY:** Vicki Smith, Executive Director Area Board 12

August 28, 2012

California Health and Human Services, Secretary Dooley  
DDS, Terry Delgadillo, Director  
DDS, Brian Winfield, Regional Center Operations  
California SCDD, Area Board 12, Vicki Smith, Director  
Steven Beckett, Attorney

We are employees of Inland Regional Center. We are imploring your help regarding concerns we have about our current Executive Director Carol Fitzgibbons' actions regarding the following:

- Probable Regional Center Contract violations
- Blatant disregard for being out of compliance with our caseload ratios
- Unnecessary increase of 1000%+ in legal fees
- Lack of concern for the use of taxpayer dollars

1. Probable Contract violations – In April of 2012, staff at IRC exercised their rights under the law to organize and take steps to form a union. During the May 22, 2012 management meeting Executive Director Fitzgibbons told management that IRC had been notified by the National Labor Board of a “petition for vote” that was scheduled for May 31, 2012. Executive Director Fitzgibbons also told managers that after the vote she was going to schedule “training to educate staff.” Training and educating was about the union, what the staff could expect, etc. A number of managers vocally expressed concerns about how staff would view such a meeting and because of recent allegations of using operations dollars for anti-union activities. Executive Director Fitzgibbons proceeded to tell managers that Department of Developmental Services had contacted her about using operations dollars for anti-union activities. She then stated that DDS' direction was that operations dollars were not to be used for such purposes. Then she proceeded to explain that DDS called her back to tell her that they understand that “she needs to do what she needs to do.” Executive Director Fitzgibbons called an all staff mandatory meeting for June 13, 2012 via e-mail followed by a verbal directive to managers at the June 11, 2012 managers meeting. This was not a meeting that staff had asked for. When all employees (including directors, management and line staff) attended the approximately one hour meeting, Executive Director Fitzgibbons used a Power Point presentation on our overhead video equipment to outline what has been accomplished, the Power Point also contained dialogue regarding the union to include Executive Director Fitzgibbons putting up a slide that said “VOTE NO” for the union. This slide remained up for a couple of minutes and this only caused an unnecessary division of staff; those for the union and those against.

Concerns:

- A. When a Director of a Regional Center calls a mandatory meeting where she asks staff to vote “NO” on the union, is this a violation of Section 4638 of The Lanterman Act and IRC's contract with the Department of Developmental Services?
  - a. Did DDS specifically give her the approval to do this or indicate in any manner that such action was OK with them?
  - b. Does this violate IRC's probation language and jeopardize IRC's contract with DDS?
  - c. IRC is already being sued for unfair labor practices. Did such behavior/action lead to IRC being involved in this current litigation?
- B. Was this a good use of staff's time?

Attachment # 1

- a. What was the impact of approximately five hundred hours of staff time that could have been used for direct client service? (Estimated at one hour per staff.)
  - b. What was the impact of the loss of hours that could have been billed to Title 19 Targeted Case Management?
  - c. What was the impact of the loss of administrative hours that could have been used to support Case Management in client service and paying vendors?
  - d. What was the impact of the unnecessary stress on staff because of the then current environment since IRC is still on probation for retaliation and intimidation?
2. Blatant disregard for being out of compliance with caseload ratios – IRC received a letter in May of 2012 from DDS notifying IRC it was out of compliance on caseload ratios. We have numerous service coordinator vacancies. Staff struggle to try and keep their work up carrying 100 cases plus. Executive Director Fitzgibbons reported at the May 2012 board meeting, caseload ratios of 100:1. Then convinced the Board to approve hiring of 4 management positions and only 4 case management positions. Executive Director Fitzgibbons also reported to the Board of Directors that IRC had a staff turnover of 56 employees since July 1, 2011 and 17 of them were involuntary. Executive Director Fitzgibbons dismissed this as being comparable to other companies the same size as IRC and it is acceptable to have a 25% turnover in staff. This was very disturbing because Inland Regional Center had a 38 year history with only an average of 8% turnover. Executive Director Fitzgibbons feels the only way to solve our vacancy issue is to create a new HR position for a recruiter rather than directing attention to hiring CSC's.  
Concerns:
  - A. We ask that someone please look into the number of employees who have been terminated and the reasons why, especially since most of these vacant positions are CSC's.
  - B. Are we not getting applicants for the CSC positions? If so, why?
3. Unnecessary Increase of 1000%+ in legal fees – Legal fees have increased from \$40,000.00 when Executive Director Fitzgibbons took over and in two years they are over \$400,000.00.  
Concerns:
  - A. What has caused such an increase in legal fees that are being paid for with tax payer dollars?
  - B. How many staff positions could be filled with \$360,000.00 helping to reduce caseload ratios?
  - C. How many ex-employees have filed wrongful termination suits that are costing the Regional Center tax payer dollars to defend?
    - a. The Lanterman Act prohibits use of operations dollars to be used for legal costs associated with union activities. Do any of these types of activities contribute to the increase in legal fees?
4. Lack of concern for the use of tax payer's dollars – We are required to file a plan with the AQMD (Air Quality Management District) that is effective August 1 of each year. During a manager's meetings in January 2012 there was a very heated discussion regarding IRC's AQMD policy. HR Manager had taken over the responsibilities for this employee incentive plan which was drastically changed. HR Manager Jamilly Tardy-Anderson had convinced Executive Director Fitzgibbons that IRC was losing money with this plan in place. Both Executive Director Fitzgibbons and HR Manager Jamilly Tardy-Anderson several times made the statement that it would be easier to just do away with the plan and pay the fine. This fine could mount to thousands of dollars. How is this helping California meet its Clean Air Initiative?



**Concerns:**

1. Would paying the fine be seen as a good use of tax payer's monies?
2. How many staff could be hired with what it would cost to pay the fine helping reduce caseload ratios?
3. Why would Executive Director Fitzgibbons feel it would be better to use tax payer dollars to pay a fine than comply with the law?

Six years ago IRC's Chief Financial Officer of 30 years left and went to work for ARCA. IRC's Controller was prompted to CFO. He left in February of 2012 and then later went to work for Westside Regional Center. Executive Director Fitzgibbons hires a new CFO from outside the Regional Center system, and then contracted with a consultant that had worked as a controller at another Regional Center. IRC spent thousands of dollars on this consultant to train the new CFO. Five months later the new CFO left suddenly.

**Concerns:**

- A. Why have two CFO's left in less than 6 months?
- B. How much money will be spent to train a new CFO?
- C. How many case management staff could have been hired helping reduce caseload ratios?

One of the items addressed in our probation is staff morale. Staff morale continues to be at an all-time low. On several occasions Executive Director Fitzgibbons has contributed the low morale to "staff being held accountable" or "staff not embracing change." All 21 Regional Centers have been built on accountability and change.

Employees at IRC are concerned at the direction our Regional Center is taking. We are and continue to be concerned about:

1. The lack of client focus. We never even talk about the client's except how to lessen the number of visits so CSC's can get all their paperwork done.
2. The lack of aggressive efforts to fill vacant CSC positions.
3. The growing expenses for legal fees and why.
4. The large expense in our budget for consultants.
5. The turnover of 2 CFO's in less than 6 months.
6. The high turnover in staff.
7. The seemingly lack of concern about how we are spending tax payer's dollars.
8. In the last two years staff has seen large increases in their benefit co-pay. What expenses in our operations budget have been passed on to staff?
9. Have there been actions on IRC's part that violate the Lanterman Act, labor laws and our DDS Contract?

Again, employees of IRC are imploring your help.



## Area Board XII

### Office of the California State Council on Developmental Disabilities

To protect and advocate for the civil, legal and service rights of persons with developmental disabilities.

---

10 October 2012

Drew Cutler, M.D.  
Board President, Inland Regional Center  
Pediatrics – Faculty Medical Offices  
Loma Linda University Medical Center  
11370 Anderson Street  
Loma Linda, CA 92354-3450

Terri Delgadillo  
Director, Department of Developmental Services  
PO Box 944202  
Sacramento, CA 94244-2020

Re: ALLEGED CONTRACT VIOLATIONS AND NON-COMPLIANCE OF INLAND REGIONAL CENTER

Dr. Cutler and Director Delgadillo:

This letter is a written follow up to a verbal report and request made to the board members of Inland Regional Center (IRC) (and to the Department of Developmental Services (DDS) via the IRC Board Meeting) on September 10, 2012. Such report and request is concerning a letter received by our office dated August 28, 2012 (See Attachment 1) outlining a potential violation(s) of IRCs contract by the Executive Director when a “mandatory all-staff meeting” was called to be held on June 13, 2012 (See Attachment 2) and at that meeting the Executive Director of IRC discusses the question of unionization and states “So don’t lose. Don’t lose your voice, your money – just for empty promises. Vote No.” (See Attachment 3, Meeting 2 at 7:05 minute marker). We’d be remiss to not also point out that at that same meeting on June 13, 2012 a question is asked by an employee to the Executive Director as to why the meeting was called because the Lanterman Act at Welfare and Institutions Code, Section 4638 expressly prohibits such action (See Attachment 3, Meeting 4 at 3:58 minute marker).

**Question under review:** Did the actions of the IRC Executive Director on June 13, 2012 violate the Standard Agreement (and Amendment(s)), Agreement Number ‘HD099008’, Amendment Number ‘C Series’, Provision 21 – “Restricting Use of State Funds.”? (See Attachment 4)

**Authority of Area Boards:** The California State Council on Developmental Disabilities coordinates its responsibilities through thirteen Area Boards. Area Boards are in part, governed by Welfare and Institutions (WIC) Code, Section 4548 (g)...“area boards shall review the policies and practices of publicly funded agencies that serve or may serve persons with developmental disabilities, to determine if the programs are meeting their obligations under local, state, and federal laws.”

**Background:** IRC is governed by the Lanterman Act (WIC 4500 et. seq.) in its provision of services to people with developmental disabilities in Riverside and San Bernardino counties. IRC serves approximately 26,700 people with developmental disabilities and their families through a Standard Agreement ("contract") with the California Department of Developmental Services. IRC was placed on "probation" by DDS in a letter dated January 19, 2011 for a variety of contract violations and issues surrounding intimidation and retaliation. As a result of such action by DDS, a letter from DDS to IRC dated May 20, 2011 stipulates that "The Board and regional center executive management must immediately become well versed in all aspect of the regional center's contract with the Department and related laws..."

The Standard Agreement Amendment (aka Contract) between DDS and IRC contains language concerning "Restricting Use of State Funds." This is standard language used from year to year as it binds the regional centers to statutory language found in California Government Code Sections 16645 through 16649 (See Attachment 5) and California Welfare and Institutions Code Section 4638 (See Attachment 6). To paraphrase, both sections explicitly prohibit regional centers from using Operations funds in influencing employees of a regional center regarding their decision to organize/unionize or not to organize/unionize. Why? Because such activity has nothing to do with service provision (Purchase of Services) for the consumers of IRC. Regional Centers pay their staff through Operations funds and purchases services for clients through POS funds. When staff is attending a "mandatory all-staff meeting" their pay is funded by Operations funds. To paraphrase WIC Section 4620 (a), regional centers activities are to "reflect a strong commitment to the delivery of direct service coordination" and as questioned in the complaint letter dated August 28, 2012 (Attachment 1), "What was the impact of approximately five hundred hours of staff time that could have been used for direct client services? (Estimated at one hour per staff)....What was the impact of the loss of administrative hours that could have been used to support Case Management in client service and paying vendors?" After reviewing the entire audiotape of the IRC "mandatory all-staff meeting" of June 13, 2012, we have found no evidence that what was discussed sought to improve the skill set for the employees to better fulfill their essential job functions and therefore not in any manner related to reflecting "a strong commitment to the delivery of direct service coordination" as outlined in WIC Section 4620 (a).

In addition to the formal question posed above (which was presented at the IRC Board Meeting of September 10, 2012) Area Board 12 is concerned with actions taken at that same board meeting with the appointment of new members and the composition of IRC's board. At the September 10, 2012 meeting, IRC's board appointed four new members to the board bringing the total number of members to fifteen of the seventeen available. None of the four new members are consumers of the regional center. Currently IRC has only one consumer on its board and with two vacancies and only one other member term expiring prior to July 2014, it does not allow IRCs board composition to be in compliance with WIC 4622 (e) (See Attachment 7) which requires that at least twenty-five percent of the board composition to be consumers (which in this case would be at least five seats of the seventeen). Perhaps more concerning is that the issue was raised during the discussion of the motion made to seat the four new members, and the board passed the motion anyway. We would refer back to the letter from DDS to IRC once again of May 20, 2011 which stipulates that "The Board and regional center executive management must immediately become well versed in all aspect of the regional center's contract with the Department and related laws..." While this office understands the difficulties of recruiting consumers to the board, our

concern rests with the fact that the board knowingly appointed new members even after being made aware that there were not enough seats left to be in compliance. Should four additional consumers approach the board to join today, there would not be enough seats to appoint them and hence, be in compliance.

**Area Board 12 Concerns:** The State Council on Developmental Disabilities, Area Board 12 is highly concerned with the viability of IRCs contract with DDS given:

- The failure of IRC to fulfill contractual obligations and the continued probation even after the Department of Developmental Services letter of May 20, 2011.
- The numerous complaints that this office continues to receive from employees of IRC.
- The most recent actions of the Executive Director on June 13, 2012 at the "mandatory all-staff meeting" which appear to violate the contract between DDS and IRC as well as Government Code Sections 16645 through 16649 and Welfare and Institutions Code Section 4638.
- The recent activities of the IRC Board in failing to comply with WIC 4622(e).

Should there be any questions with regard to this letter, please do not hesitate to contact me via email at [Vicki.Smith@scdd.ca.gov](mailto:Vicki.Smith@scdd.ca.gov) or in writing to: SCDD, Area Board 12, 650 E Hospitality Ln, Ste 280, San Bernardino, CA 92408.

Sincerely,



Vicki L. Smith  
Executive Director  
SCDD, Area Board 12

/enclosures

cc: IRC Board Members  
Brian Winfield, Department of Developmental Services



# INLAND REGIONAL CENTER

...valuing independence, inclusion and empowerment

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November 19, 2012

Stacy McQueen, Chair  
Board of Directors, Area Board XII  
State Council on Developmental Disabilities  
12590 Iroquois Road  
Apple Valley, CA 92308

Terri Delgadillo, Director  
Department of Developmental Services  
P.O. Box 944202  
Sacramento, CA 94244-2020

In re: Alleged Contract Violations and Non-Compliance of Inland Regional Center

Dear Ms. McQueen & Director Delgadillo:

This letter is written in response to the letter of October 10, 2012 from Vicki L. Smith, Executive Director, Area Board XII, State Council on Developmental Disabilities, with regard to certain "concerns" Ms. Smith has expressed with respect to Inland Counties Regional Center, Inc.(IRC). Specifically, Ms. Smith contends that (1) IRC is not in compliance with Article I, Section 21 of its contract with the Department of Developmental Services (DDS) in that IRC has used state funds in violation of *Gov't Code* §§16645-16649 and *Welfare and Institutions Code (WIC)* §4638; (2) IRC is not in compliance with *WIC* §4622 regarding the membership of IRC's Board of Trustees and (3) Area Board XII has the authority to raise these questions. Since Ms. Smith's letter has been widely distributed, IRC cannot remain silent and must respond to the specific claims set forth in her letter.

Ms. Smith has raised questions about matters that IRC believes are outside the scope of authority of the State Council on Developmental Disabilities (SCDD) and Area Board XII and that are more appropriately within the oversight responsibilities of DDS with respect to the regional center system.

It is IRC's belief that the SCDD and the Area Boards have no responsibility for overseeing the operations of the regional centers or a regional center's contract with DDS. Under the *Lanterman Act*, DDS has the responsibility of overseeing the operations of the regional centers and making sure that the performance of the regional centers is in compliance with their contracts with DDS. In furtherance of DDS's responsibilities under the *Lanterman Act* and as a result of IRC's probationary status, IRC is experiencing extensive oversight by DDS.

IRC's Board of Trustees, management and staff have worked closely with DDS to address and resolve those issues that gave rise to IRC's probationary status. IRC has continued to make progress in that regard and is confident that the probationary status will be removed.

WIC §§4520-4555 govern the scope of the operations for the SCDD and the Area Boards. The SCDD and the Area Boards were established to comply with the requirements of the *Developmental Disabilities Assistance and Bill of Rights Act of 2000* (Public Law 106-402 at 42 USC §15001 et seq.). WIC §4548(a) specifically provides that "Area boards shall locally assist the state council with the implementation of subtitles A and B of Title I of Public Law 106-402 (42 USC §15001 et seq.)." There is nothing in the *Developmental Disability Assistance and Bill of Rights Act of 2000* or the WIC which grants any oversight responsibilities to the SCDD and the Area Boards with respect to how regional centers utilize their operations budget. Even DDS is limited in that regard. (See *Association For Retarded Citizens -- California v. Department of Developmental Services* (1985) 38 Cal. 3d 384, 389-395)

It is clear that WIC §4548(g)(1), the subsection relied upon by Ms. Smith for her authority to question how IRC utilizes its operations budget, only deals with publicly funded agencies other than regional centers since that very same subsection makes reference to a regional center notifying the Area Board when publicly funded programs fail to meet their obligations in serving persons with developmental disabilities. The language relied upon by Ms. Smith appears to have been taken out of context and then applied to IRC.

In addition, in WIC §4548(i) the legislature stated that Area Boards were not to duplicate the functions assigned to other agencies that are "routinely responsible for monitoring, regulating or licensing programs for person with developmental disabilities." This would clearly bar the SCDD and Area Board XII from any attempt to monitor or regulate a regional center when such activities are clearly assigned by the legislature to DDS.

Ms. Smith contends that IRC has engaged in activity in violation of state law and its contract with DDS regarding restrictions on the use of state funds with respect to union activities. First of all, there can be no argument that the SCDD and Area Board XII have absolutely no oversight responsibilities with respect to any union activities at IRC.

When IRC became aware of union activities involving IRC and its employees, IRC solicited an opinion from legal counsel as to what IRC's rights, obligations and responsibilities

were regarding how IRC could respond to the union activities, taking into consideration state and federal law and IRC's contract with DDS. IRC was provided with a legal analysis of the specific contractual and statutory provisions raised by Ms. Smith in her letter. I would have hoped that Ms. Smith would have done the same.

*Gov't Code §§16645-16649* purport to prohibit private employers that receive state grants or funds from using those funds "to assist, promote, or deter union organizing." In the case of *Chamber of Commerce, et al v. Brown, et al* (2008) 128 S. Ct. 2408, the U.S. Supreme Court addressed the question of "whether two of its provisions -- §16645.2, applicable to grant recipients, and §16645.7, applicable to private employers receiving more than \$ 10,000 in program funds in any year -- are pre-empted by federal law [the National Labor Relations Act (NLRA)] mandating that certain zones of labor activity be unregulated." (*Chamber of Commerce, supra*, 2411)

Ms. Smith contends that *Gov't Code §§16645-16649* are applicable to prevent IRC from using operations funds to influence its employees regarding whether or not to form a union because any such activity by IRC has nothing to do with the purchase of services for IRC's consumers. However, that was not the legislative intent in enacting *Gov't Code §§16645-16649*. "As set forth in the preamble, the State of California enacted AB 1889 [*Gov't Code §§16645-16649*] for the following purpose:

'It is the policy of the state not to interfere with an employee's choice about whether to join or to be represented by a labor union. For this reason, the state should not subsidize efforts by an employer to assist, promote, or deter union organizing. It is the intent of the Legislature in enacting this act to prohibit an employer from using state funds and facilities for the purpose of influencing employees to support or oppose unionization and to prohibit an employer from seeking to influence employees to support or oppose unionization while those employees are performing work on a state contract.' 2000 Cal. Stats. ch. 872, § 1." (*Chamber of Commerce, supra*, 2411)

The prohibition in *Gov't Code §16645.7* "encompasses 'any attempt by an employer to influence the decision of its employees' regarding '[w]hether to support or oppose a labor organization' and '[w]hether to become a member of any labor organization.' § 16645(a). The statute specifies that the spending restriction applies to 'any expense, including legal and consulting fees and salaries of supervisors and employees, incurred for . . . an activity to assist, promote, or deter union organizing.' § 16646(a)." (*Chamber of Commerce, supra*, 2411)

While the NLRA contains no express preemption provision, the Supreme Court has held that preemption was impliedly mandated by Congress to the extent necessary to implement federal labor policy. One rule of preemption forbids the National Labor Relations Board (NLRB) and the States from regulating conduct that Congress intended should be unregulated and "left

to be controlled by the free play of economic forces.' (Citation omitted). [The] *Machinists* preemption is based on the premise that 'Congress struck a balance of protection, prohibition, and laissez-faire in respect to union organization, collective bargaining, and labor disputes.' (Citation omitted)." (*Chamber of Commerce, supra*, 2412) The Supreme Court has described the *Machinists* preemption as "creat[ing] a zone free from all regulations, whether state or federal. (Citation omitted)" (*Chamber of Commerce, supra*, 2417)

The Taft-Hartley Act, enacted by Congress in 1947, amended the NLRA by adding §8(c) [29 U.S.C. § 158(c)], which protects speech by both unions and employers from regulation by the NLRB. §8(c) provides as follows:

"The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this subchapter, if such expression contains no threat of reprisal or force or promise of benefit."

Its enactment "manifested a 'congressional intent to encourage free debate on issues dividing labor and management.' (Citation omitted). ... We have characterized this policy judgment, which suffuses the NLRA as a whole, as 'favoring uninhibited, robust, and wide-open debate in labor disputes,' stressing that 'freewheeling use of the written and spoken word . . . has been expressly fostered by Congress and approved by the NLRB.' (Citation omitted)." (*Chamber of Commerce, supra*, 2413-2414)

In a 7-2 vote, the U.S. Supreme Court held that the federal *Machinists* preemption applied to *Gov't Code* §§16645.2 and 16645.7. (*Chamber of Commerce, supra*, 2412) The fact that the California statutes restricted the use rather than the receipt of state funds did not "significantly lessen the inherent potential for conflict" with the NLRA. (*Chamber of Commerce, supra*, 2416) "California plainly could not directly regulate noncoercive speech about unionization by means of an express prohibition. It is equally clear that California may not indirectly regulate such conduct by imposing spending restrictions on the use of state funds." (*Chamber of Commerce, supra*, 2414-2415)

Therefore, *Gov't Code* §§16645-16649, and specifically §16645.7, cannot be enforced against IRC notwithstanding the fact that the contract between DDS and IRC requires that IRC comply with the statutes. Any attempt by the state to enforce the contractual provision would face the same problems as the statute itself and a court would find the contractual provision unenforceable on the same grounds as the statutes were found to be preempted by federal law and, therefore, unenforceable.

*WIC* §4638 contains language that is similar to and just as far-reaching as *Gov't Code* §§16645-16649. Additionally, the last paragraph of *WIC* §4638 specifically recognizes the rule



of federal preemption by providing that "Nothing in this section shall be construed as limiting the employers rights under Section 8(c) of the National Labor Relations Act." Since one of the bases that the U.S. Supreme Court relied upon in finding preemption [§8(c) of the NLRA] is specifically referenced in *WIC* §4638, the reasoning of the Supreme Court in finding that preemption applied to *Gov't Code* §§16645-16649 would apply with equal force to *WIC* §4638, thereby making it unenforceable.

Accordingly, IRC can engage in any and all conduct allowed under §8(c) of the NLRA and the contractual provision seeking to require that IRC comply with *Gov't Code* §§16645-16649 and *WIC* §4638 cannot be enforced against IRC and cannot restrict IRC in the use of state funds that are used for appropriate activities under §8(c) of the NLRA.

Even though the activities of IRC are within its rights under the NLRA, Ms. Smith criticizes the time spent by IRC in exercising its free speech rights by advocating its position at an all staff meeting regarding the union organizing efforts. Clearly it is in the best interest of all of IRC's employees to be fully informed on both sides of the union issue. That is exactly what Congress intended in enacting §8(c) of the NLRA and what the US Supreme Court described as "favoring uninhibited, robust, and wide-open debate ... ." (*Chamber of Commerce, supra*, 2414)

Furthermore, Ms. Smith makes the argument that an all staff meeting was improper because it took time away from IRC's employees that could have been spent providing direct client services. If one takes this argument to the extreme, then any activity by IRC staff that is not involved in providing direct client services would be a misuse of time and money. Therefore, it would seem that IRC would be better off not providing any vacation time, longevity leave or similar benefits to its employees because such benefits would reduce the time available for providing direct client services. I doubt that IRC staff would espouse that as a goal and IRC does not advocate it. Rather, it is pointed out to show that the argument has no merit.

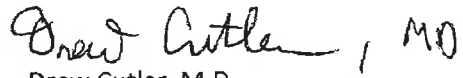
Finally, with respect to Ms. Smith's concern about the composition of IRC's Board of Trustees and the fact that it does not currently have the required number of consumer members, the Board of Trustees is actively seeking consumers who would be able to serve on IRC's Board. This problem is not unique to IRC as it is not the only regional center whose governing board does not meet all of the statutory requirements for members. IRC will continue to work towards recruiting consumers and other appropriate individuals to serve on IRC's Board of Trustees so that it will be in compliance with the statutory requirements.

IRC would welcome the opportunity to have a constructive dialogue with Ms. Smith and the members of the Board of Directors of Area Board XII on how to work together in order to better support consumers and their families. This would truly be the best use of valuable time and limited resources rather than having to respond to unfounded accusations.

Stacy McQueen, Chair  
Terri Delgadillo, Director  
November 19, 2012  
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Thank you for your attention to this matter and should you have any questions, please feel free to contact me.

Very truly yours,

  
Drew Cutler, M.D.  
President, Board of Trustees  
Inland Counties Regional Center, Inc.

Encl. Area Board XII Letter dated October 10, 2012

Copy: Members of the Board of Directors, Area Board XII  
Vicki L. Smith, Executive Director, Area Board XII  
Leroy G. Shipp, Chairperson, State Council on Developmental Disabilities  
Carol Risley, Executive Director, State Council on Developmental Disabilities  
Brian Winfield, Department of Developmental Services  
Allan Smith, Department of Developmental Services  
Inland Regional Center Board of Directors  
Carol A. Fitzgibbons, Executive Director, IRC



State Council on Developmental Disabilities

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STATE OF CALIFORNIA

Edmund G. Brown Jr.  
Governor

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December 11, 2012

Senator Dianne Feinstein  
331 Hart Senate Office Building  
Washington, D.C. 20510

COPY

**Subject: Convention on the Rights of Persons with Disabilities (CRPD)  
Thank You for Your Support**

Dear Senator Feinstein,

On behalf of the California State Council on Developmental Disabilities, I wish to thank you for your vote in support of the United Nations Convention on the Rights of Persons with Disabilities (CRPD). The Council is established pursuant to state and federal law to advocate for the rights of people with intellectual and developmental disabilities.

The CRPD is an inspiring attempt to advance the rights of people with disabilities across the globe. The United States has come far in developing a legal framework that protects people with disabilities. This had been accomplished through laws such as the Americans with Disabilities Act, the Rehabilitation Act, the Individuals with Disabilities Education Act, and the Developmental Disabilities Act. While much remains to be done in this country, children and adults with disability suffer terrible discrimination, segregation, violence, abuse, and lack of opportunity throughout much of the world. The CRPD is an important agreement that establishes the human rights of people with disabilities.

The failure of the CRPD in the Senate is a setback, but not the end of the struggle. 126 nations have ratified the convention. In the United States, over 130 disability organizations, including veterans, support the treaty. People with disabilities and their families, will continue to work towards the day when the United States will ratify the CRPD and takes its rightful place as a leader for promoting these basic human rights.

Once again the Council thanks you for your support of the CRPD. If you have any questions, please contact Mark Polit, Deputy Director of Policy and Planning, at 916-322-8481

Sincerely,

COPY

Leroy Shipp  
Chair

*"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."*

## AGENDA ITEM DETAIL SHEET

**ISSUE:** Employment First Committee Annual Report to Governor and Legislature.

**SUMMARY:** California Welfare and Institutions Code Section 4868 (e) requires that the Employment First Committee (EFC) submit an annual progress report to the Governor and relevant committees of the Legislature. While statute describes this as a report of the Committee, the Council must approve the report, since the EFC is a committee of the Council.

**BACKGROUND:** The attached report has been written with very significant involvement of the EFC and approved by them.

Contents of the report:

1. Priorities adopted by the State Council as recommended by the EFC.
2. Second year work of the committee, interagency activities, and policy activities.
3. Current status of the employment of individuals with developmental disabilities.
4. Outline of next steps of the Committee.

**ANALYSIS/DISCUSSION:** N/A

**COUNCIL STRATEGIC PLAN OBJECTIVE:** The State Council's Employment First Committee will continue to identify strategies and monitor progress towards implementation of the employment first policy.

**PRIOR COUNCIL ACTIVITY:** The Council sponsored legislation to establish the Employment First Committee and establish an employment first policy in statute. This is the second annual report of the EFC submitted by the Council.

**RECOMMENDATION(S):** The Employment First Committee recommends that the Council approve its 2012 Progress Report for submittal to the Governor and the Legislature.

**ATTACHMENT(S):** Employment First, A 2012 Progress Report

**PREPARED:** Mark Polit, January 3, 2012

# **EMPLOYMENT FIRST A 2012 PROGRESS REPORT JANUARY 16, 2013 (FINAL DRAFT - JANUARY 3, 2013)**

## **INTRODUCTION**

What follows is the second annual report of the Employment First Committee (EFC) of the State Council on Developmental Disabilities (SCDD), pursuant to California Welfare and Institutions Code Section 4868 (e). Within this report we will:

1. Provide priorities adopted by the State Council as recommended by the EFC
2. Discuss the 2<sup>nd</sup> year work of the committee, interagency activities, and policy activities
3. Describe the current status of the employment of individuals with developmental disabilities
4. Outline next steps

The statutory responsibilities of the Employment First Committee are enumerated in California Welfare and Institutions Code Division 4.5, Chapter 14, Employment (see Appendix A). The membership of the Committee is listed in Appendix B.

## **PRIORITIES**

In our first report, many recommendations were made for improving the employment status of people with developmental disabilities. Given that the recommended changes in policies, rebalancing of existing resources across all state agencies and measurement of employment outcomes will be a long term process, the committee recommended and the Council adopted two immediate priorities.

### **Council Priorities**

1. *Prioritize the enactment of an Employment First Policy*
2. *Strengthen youth transition to integrated competitive employment*

## **EMPLOYMENT FIRST COMMITTEE WORK**

Quarterly meetings were conducted to review, evaluate and assist the Council in areas related to policies and programs that ensured our ongoing commitment to promoting integrated competitive employment in our local communities and throughout the state.

**Understanding Relationships:** The structure of the EFC includes a diverse group of agencies and individuals, providing the opportunity to explore the interrelated elements associated with having numerous departments with differing roles share in a common goal.

**Self-Advocacy Participation/Self Determination:** The EFC includes self-advocates in its membership who are members of the Council, Area Boards and others. They meet the day before each EFC meeting with facilitators to review the agenda and materials, and prepare presentations for the EFC on their perspectives on employment policy and practices and recommendations for EFC focus and activities. Specific recommendations were made to the committee by the self-advocates, including findings from a survey they conducted. The EFC self-advocates recommended (1) collaboration among students, their parents and agencies, with students and families taking the lead and (2) parents understand how important it is for their child to learn about responsibilities and work at an early age. A learn by example approach should be taken where parents teach other parents, and students learn from self-advocates. It was recommended that a train the trainer curriculum be established for parents and self-advocates.

Self-advocate committee members also surveyed 40 people with developmental disabilities on their employment status and barriers to employment. Questions were asked through telephone call, face to face interviews, and Facebook. The results were then presented to the EFC, including that people are scared or confused about losing benefits when employed and not getting the help they need to find or keep jobs. They also made recommendations for removing barriers to employment, including educating employers, educating self-advocates about the value of work, and using peer advocates who work and can therefore lead by example.

**Areas of Focus:** With such a large scope of priorities established in the first year, the EFC finds it important to begin its focus on the area of transition as well as the

passing of the employment first policy in statute. By focusing on transition and achieving integrated competitive employment for youth and young adults, the EFC can begin to positively affect these individuals by creating more hopeful economic futures and a greater sense of worth as productive members of their own communities.

**Best Practices in Transition:** An important function of the EFC is to advise the Council. The EFC recommended to the Council that it focus its Program Development funds on integrated competitive employment for transition age youth and young adults. The Council adopted that recommendation and released an RFP, for up to \$360,000 per year, seeking qualified applicants to develop innovative transition models to increase the numbers of youth and young adults with developmental disabilities in integrated competitive employment and/or postsecondary educational opportunities leading to career advancement.

**Employment First Policy Legislation:** At the recommendation of the Employment First Committee, the Council sponsored legislation to establish an employment first policy in statute. This effort was conducted pursuant to the statutory mandate in WIC Section 4868(c)(4) (See Appendix A).

- **AB 254 (Beall):** On January 4, 2012, AB 254 was amended to include the employment first policy recommended by the EFC and adopted by the Council. The bill was sponsored by the Council and passed by the Assembly Human Services Committee on January 10, after supporting testimony from EFC Chair, Dr. Olivia Raynor. However, on February 1, the bill was held and died in the Assembly Appropriations Committee due to cost concerns.
- **AB 2338 (Chesbro):** On February 24, 2012, Assemblymember Wesley Chesbro introduced another employment first policy bill, AB 2338, with Assemblymember Jim Beall as a coauthor and the SCDD as sponsor. This legislation addressed the cost concerns of the Assembly Appropriations Committee and passed out of that committee. Council members and staff met with stakeholders, the Department, and legislators and testified at hearings in support of the legislation. In May the bill was amended to address stakeholder concerns and passed the Assembly with no stakeholder opposition. However, a critical fiscal analysis caused the bill to be held in Senate Appropriations where it died.

## Change in Proposed Employment First Policy

(Emphasis added to highlight changes between policy statements.)

**EFC Proposed Policy 2011:** *It is the policy of the state that integrated, competitive employment is the priority **outcome** for working age individuals with developmental disabilities.*

**Amended Proposed Policy In May 2012:** *It is the policy of the state that **opportunities** for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, **regardless of the severity of their disabilities.***

Besides establishing an employment first policy in statute, AB 2338 would have defined competitive employment, micro enterprise, and self-employment; required each regional center planning team, when developing an IPP for a transition age youth or working age adult, to consider the policy while not infringing upon an individual's right to make informed choices about services and supports; required regional centers to ensure that transition age youth and working age adults are provided with information about the employment first policy, integrated competitive employment, postsecondary education, as well as services and supports to achieve the related outcomes. This bill would have authorized the department to request information from regional centers on current and planned activities related to the Employment first Policy.

While a national movement towards an Employment First approach is evident with 18 States having already adopted Employment First policies, California still has not adopted its own policy.

### Interagency Activities

- **California Employment Consortium for Youth:** California was awarded a federal 5-year employment systems change grant by The Administration on Intellectual and Developmental Disabilities<sup>1</sup> to increase the number of

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<sup>1</sup> Administration on Intellectual and Developmental Disabilities, Administration on Community Living, Department of Health and Human Services



youth and young adults with intellectual disabilities in integrated competitive employment (ICE). The State Council is a lead agency along with the Departments of Rehabilitation, Developmental Services and Education. The California Employment Consortium for Youth with Intellectual and Developmental Disabilities (CECY) is a 30 member highly knowledgeable and experienced employment work group comprised of the aforementioned lead state agencies, Youth Self-Advocates, Disability Rights California, the Family Resource Center Network of California, the Association of Regional Center Agencies, California Committee on the Employment of People with Disabilities, Community of Practice-Secondary Transition, UCLA Anderson School of Management, and the Tarjan Center UCEDD. In its first year, CECY **released an RFP to fund local teams to document for future dissemination best practices** in such areas as interagency transition services, job retention, funding models, and job certifications (i.e., food handler) that assist youth and young adults with ID/DD achieve integrated competitive employment.

- **College to Career (C2C)** is a collaborative effort of the California Department of Rehabilitation (DOR), California Community College Chancellor's Office (CCCCO), and the UCLA Tarjan Center UCEDD. This collaboration broke new ground in establishing five, 3-year community college programs that provide youth with intellectual disabilities with education and vocational preparation that will lead to integrated competitive employment. The design for each of the programs was consistent with the elements for comprehensive transition and postsecondary programs under the Higher Education Opportunity Act (2008) for students with intellectual disabilities. Eighty-nine students with intellectual disabilities completed their first year of the 3-year program at Santa Rosa Community College, Alameda Community College, Sacramento City College, North Orange County Community College, and San Diego City College.
- **Other Collaborations:** The Council participates in the Alliance for Full Participation California team. The AFP is a collaboration of major national organizations (including the National Association of Councils on Developmental Disabilities) serving or advocating for improved employment outcomes for people with intellectual and developmental disabilities (I/DD). The California team is facilitated by the Arc of California. The Council has also started coordinating with the California Committee for

the Employment of People with Disabilities, established by statute to promote the employment of people with disabilities. Additionally, members of the Employment First Committee continue to actively work with key groups throughout the state to promote Employment First. These groups include: 1) Association of People Supporting Employment First (APSE); 2) Golden Gate Regional Center, which has adopted their own Employment First Policy; (3) an ad-hoc group of prominent advocates, employment support providers, labor, and relevant departments promoting a field demonstration of a new incentive system for employment support services to develop integrated competitive employment with employer based health benefits; and (4) the Employment Development Department to increase access of people with developmental disabilities to One-Stops for improved employment outcomes.

- **Training Activities By EFC Member Agencies**

- ❖ **Association of Regional Center Agencies – New day Conference**

- ARCA sponsored the New Day Conference in Pasadena in September 2012. Over 400 attendees participated in sessions focused on innovations in employment and housing services for individuals with developmental disabilities. Three plenary speeches conducted by nationally-recognized speakers as well as twenty-four break-out sessions offered attendees the opportunity to explore relevant topics. The conference offered three pre-conference institutes that provided participants with the opportunity to explore specific topics in-depth over a five hour period. Attendees were also invited to participate in facilitated discussions regarding strategies to improve services and outcomes for individuals with developmental disabilities with regard to employment and housing.

- ❖ **Four- part employment webinar series** aimed to create awareness about employment and to provide a discussion forum for families, individual organizations and professionals **sponsored by ARCA/SELN/DDS**. This series was a statewide event held at various different regional centers focusing on the following topics: 1) The importance of employment (4/24/12); 2) Relationships and Networking with Business (5/10/12); 3) Person-centered career practices (5/24/12); and 4) Organizational Change from Facility Based to Community Based Employment Services (6/12/12).

- ❖ **Working Conference - *Driving Forces Behind Successful Postsecondary Education and Employment for Young Adults with ID and Autism*** held in Sacramento, CA and sponsored by Think College and California Consortium on Postsecondary Educations and the Center for Disability Studies, University of Hawaii. The conference content addressed significant changes in public policy, insight for promoting inclusive strategies through person-centered protocol and interagency team building to support youth success in higher education and employment; and the effective uses of Self-Determination as a framework in the planning and provision of services, supports, and accommodations. Over 100 families, K-12, rehabilitation, developmental disabilities and higher education professionals, and students with developmental disabilities attended.
  
- ❖ **Three-Part webinar series in Triangulating Postsecondary Education Goals** for transition specialists and educators. The series aims at identifying postsecondary goals and aligning them with academic and industry standards. This webinar series was hosted by Community of Practice in Secondary Education (CoP).

## CURRENT STATUS OF THE EMPLOYMENT OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

### Employment First as a National Priority

- **National Governor's Association** - As unemployment continues to be a conversation of significance throughout the United States, the National Governor's Association has taken a major step forward by adopting the initiative "*A Better Bottom Line: Employing People with Disabilities*". With this initiative, comes the commitment to focus on solutions to employment challenges faced by people who have intellectual and developmental disabilities. Recognizing shared roles and responsibilities, the initiative will actively engage self advocates, government, businesses, disability leaders and others to advance best practices. This initiative will also provide governors and other state policymakers with better policy options to assess the environment in their state and develop creative strategies designed to advance the opportunity for people with developmental disabilities to be gainfully employed in the competitive labor market.<sup>2</sup>
- **Office of Disability Employment Policy** - To further the advancement of an Employment First approach nationwide, the Department of Labor, Office of Disability Employment Policy (ODEP), created the Employment First State Leadership Mentor Program. This program helps states align policies, regulations and funding priorities to encourage integrated employment as the primary outcome for individuals with significant disabilities. Through the initiative, ODEP is providing support and informational resources to selected states that desire systems change reflecting the Employment First approach but have struggled to fully implement it as the primary service delivery system for people with disabilities. Currently those states include Iowa, Oregon and Tennessee; while Washington serves as a Mentor State.
- **Administration on Intellectual and Developmental Disabilities (AIDD) Systems Change Projects** - In October 2011, AIDD awarded multiyear grants to lead agencies in six states: California, Iowa, Mississippi, Missouri, New York, and Wisconsin, to spur improved employment and post-secondary outcomes for youth with intellectual and developmental disabilities. The

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<sup>2</sup> A Better Bottom Line: Employing People with Disabilities. Retrieved January 3, 2012 <http://ci.nga.org/cms/home/1213/index>

California Employment Consortium for Youth (CECY) is the California collaboration under this grant.

- **State Employment Leadership Network (SELN)** – A project of the National Association of State Directors of Developmental Disabilities Services and the Institute for Community Inclusion, University of Massachusetts, Boston, SELN is a membership based network of state developmental disability agencies working to develop more effective employment systems and partnerships, use data to guide program management, improve employment-related staff competencies, and share resources for systems change across states. SELN has 24 member states. California was a previous member but has allowed their membership lapse.
- **APSE** – Association of People Supporting Employment First is a national membership organization, with chapters in 35 states, including California, that promotes employment opportunities for all people, through local, regional, and national networks.

## California Employment Outcomes

**Californians with developmental disabilities continue to be significantly under-represented in the general workforce and unemployed.**

Currently California does not have a data system in place that is outcome focused or provides individual level long-term data that measures employment outcomes or benchmarks for performance in achieving integrated employment.

National data continue to show that people with disabilities are less likely to work than individuals without disabilities. There is little data specific to the employment rates of individuals with developmental disabilities compared to the general population, but in 2011, the data collected by the American Community Survey<sup>3</sup> showed that only 20.54% of people with a cognitive disability were employed<sup>4</sup>, compared to 31% of people with any disability, and 66.5% of the general population. **(Fig. 1)**. While ACS does not collect data specific to people with developmental disabilities, survey results of those with cognitive disabilities can serve as the most general of approximation.

The National Core Indicator (NCI) Survey<sup>5</sup> conducted in California by the Council on behalf of the Department of Developmental Services provides a more demographic specific opportunity to obtain the employment status of a

**Fig. 1**  
*American Community Survey(U.S. Census Bureau)  
Employment Participation for  
Working Age people (18-64) in California*

2011	
Estimated working age population	23,607,468
Number of people with any disability	1,879,561
<b>Number of people with a cognitive disability</b>	<b>790,196</b>
Number of people who are employed	15,699,126
Number of people with any disability who are employed	590,531
<b>Number of people with a cognitive disability who are employed</b>	<b>162,326</b>
Percentage of all people who are employed	66.50%
Percentage of people with any disability who are employed	31%
<b>Percentage of people with a cognitive disability who are employed</b>	<b>20.54%</b>

<sup>3</sup>The American Community Survey is a national survey collected by the U.S. Census Bureau

<sup>4</sup> ACS defines this category to include civilians who either (1) were "at work," that is, those who did any work at all during the reference week as paid employees, worked in their own business or profession, worked on their own farm, or worked 15 hours or more as unpaid workers on a family farm or in a family business; or (2) were "with a job but not at work," that is, those who did not work during the reference week but had jobs or businesses from which they were temporarily absent due to illness, bad weather, industrial dispute, vacation, or other personal reasons. Excluded from the employed are people whose only activity consisted of work around the house or unpaid volunteer work for religious, charitable, and similar organizations; also excluded are all institutionalized people and people on active duty in the United States Armed Forces.

<sup>5</sup> The National Core Indicators is a quality assessment tool with standard measures used across the states to assess the outcomes of services provided to individuals and families. Indicators address key areas of concern including employment, rights, service planning, community inclusion, choice, and health and safety.

representative sample from across California of **8,724** adults with developmental disabilities<sup>6</sup>. According to the NCI results<sup>7</sup>, only 8% or 698 of those surveyed had a job in the community compared to 14.4% nationally<sup>8</sup>. Of those with jobs, **237** people were in Competitive Employment<sup>9</sup>, **181** in Individual Placement Supported Employment<sup>10</sup>, and **279** in Group Supported Employment (such as work crews and enclaves)<sup>11</sup>.

Of the **92%** that were not employed, survey results showed that **41% (3,291)** of these individuals wanted a job. This translates to **38% of the total representative sample** of adults with developmental disabilities who want to work, but were not working. If this were to be generalized to the whole regional center population, then there are roughly **48,000**<sup>12</sup> unemployed working age regional center clients who want to work.

While our current data systems do not allow us to fully determine the number of individuals with ID/DD in integrated competitive employment, DDS data reveal how their resources are being used, including the percentage receiving integrated employment services. DDS remains the primary source of long term funding and coordination of employment services. In 2010, an almost equal percentage of people with developmental disabilities were served in integrated settings (15%) and segregated facility based work settings (14%), while the vast majority were served in non-work day services.

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<sup>6</sup> The NCI survey was conducted between May 2010 through January 2011 with adults with developmental disabilities or their proxy in face-to-face interviews.

<sup>7</sup> National Core Indicators California Adult Consumer Survey Report, Quality Assessment Project, Fiscal Year 2010-2011, Prepared by Human Services Research Institute for the California Department of Developmental Services, July 2012.

<sup>8</sup> National Core Indicators, 2009- 2010

<sup>9</sup> According to 34 CFR 361.5 (b) (11) [Title 34 – Education; Subtitle B -- Regulations of the Offices of the Department of Education; Chapter III -- Office of Special Education and Rehabilitative Services, Department of Education; Part 361 -- State Vocational Rehabilitation Services Program; Subpart A – General], the term competitive employment means “work -- (i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.” The NCI does **not** include individuals in either Group or Individual Supported Employment in their definition of Competitive Employment.

<sup>10</sup> By federal definition, supported employment is paid employment, in an *integrated* setting, with *on-going support* provided over the long-term.

<sup>11</sup> A small group of people with disabilities (average size of 3.1 in a group) trained and supervised among employees who are not disabled at the host company's work site. Persons in an enclave work as a team at a single work site in a community business or industry. Initial training, supervision, and support are provided by a specially trained on-site supervisor, who may work for the host company or the placement agency.

<sup>12</sup> Based on 38% of 127,277 Status 2 (active) regional center clients 18 years and older, according to June 2011 data from the DDS Client Master File.

## NEXT STEPS

Moving California toward Employment First is an undertaking of critical importance in order to facilitate the dignity and independence of individuals with developmental disabilities with the added result of more people contributing to California's economy. The EFC will continue its focus on employment for transition age youth, through its four areas of responsibilities established in WIC Section 4868 (c),

**Employment Policy:** The SCDD will work with other stakeholders, the Department and the Legislature to re-introduce legislation establishing an employment first policy in statute (see box on page 4), while addressing the fiscal issues raised in the Senate fiscal committee analysis<sup>13</sup>. If California adopts this policy, it will be the nineteenth state with an employment first policy. The EFC will coordinate with the CECY Policy Committee and other groups to explore further policy recommendations focused on transition age youth and young adults.

**Strategies and Best Practices:** An important function of the EFC is to advise the Council. The EFC recommended to the Council that it focus its Program Development funds on integrated competitive employment for transition age youth and young adults. The Council adopted that recommendation and funded a significant demonstration project focused on transition age regional center clients in the Los Angeles and San Diego areas. Through this grant, Jay Nolan Community Services and Easter Seals of Southern California will work with the school districts, regional centers, and Department of Rehabilitation to implement a number of state of the art customized employment practices to support individuals with disabilities to seek and succeed in integrated competitive employment.

**Interagency Collaboration:** As a lead agency in the California Employment Consortium for Youth (CECY), the Council will actively address policy, barriers, best practices, and the training/information needs of providers, professionals, families and consumers. Through the Consortium, the Council will work to identify roles and responsibilities of government agencies in improving employment outcomes. The EFC will focus on activities that compliment and support the work of other groups, such as CECY, the Alliance for Full Participation,

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<sup>13</sup> Outstanding concerns from Senate Appropriations Committee are: (1) potential costs of implementing and employment first policy and (2) the cost of materials to be given to consumers and family members describing the employment first policy and related service options. Council staff believes both issues can be addressed.



Community of Practice for Post-Secondary Education, and the California Committee on Employment of People with Disabilities.

**Outcomes Data:** The EFC will work with the CECY data group to identify and crosswalk relevant employment data from different systems to make recommendations for improved use, collection, and dissemination of data that can track the state's success in supporting the growth of integrated competitive employment.

The Special Education Division can assist in finding gaps in compliance with postsecondary planning through its ability to survey schools and other facilities providing services to students with developmental disabilities. These data will assist the CDE and the EFC to determine why these students are so difficult to follow-up on and where students are one year after leaving secondary education. The Special Education Division is also researching ways to provide follow up on students over a longer period of time.

**Dissemination:** The SCDD will develop a section of their website for the EFC to highlight the Council's work on employment, providing plain language materials and videos on Employment First Policy and options for integrated competitive employment, disseminating materials and practices from SCDD Program Development grants, posting relevant outcomes data and providing access to resources from other sources.

## **APPENDIX A**

### **Statutory Responsibilities of the Employment First Committee**

#### **California Welfare and Institutions Code Division 4.5. Services for the Developmentally Disabled Chapter 14. Employment**

4868. (a) The State Council on Developmental Disabilities shall form a standing Employment First Committee consisting of the following members:

(1) One designee of each of the members of the state council specified in subparagraphs (B), (C), (D), (F), and (H) of paragraph (2) of subdivision (b) of Section 4521.

(2) A member of the consumer advisory committee of the state council.

(b) In carrying out the requirements of this section, the committee shall meet and consult, as appropriate, with other state and local agencies and organizations, including, but not limited to, the Employment Development Department, the Association of Regional Center Agencies, one or more supported employment provider organizations, an organized labor organization representing service coordination staff, and one or more consumer family member organizations.

(c) The responsibilities of the committee shall include, but need not be limited to, all of the following:

(1) Identifying the respective roles and responsibilities of state and local agencies in enhancing integrated and gainful employment opportunities for people with developmental disabilities.

(2) Identifying strategies, best practices, and incentives for increasing integrated employment and gainful employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transition planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.

(3) Identifying existing sources of employment data and recommending goals for, and approaches to measuring progress in, increasing integrated employment and gainful employment of people with developmental disabilities.

(4) Recommending legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated employment, self-employment, and microenterprises, and who earn wages at or above minimum wage, including, but not limited to, recommendations for improving transition planning and services for students with developmental disabilities who are 14 years of age or older. This shall include, but shall not be limited to, the development of an Employment First Policy, the intended outcome of which is a significant increase in the number of individuals with developmental disabilities who engage in integrated employment, self-employment, and microenterprises, and in the number of individuals who earn wages at or above minimum wage. This proposed policy shall be in furtherance of the intent of this division that services and supports be available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age and that support their integration into the mainstream life of the community, and that those services and supports result in more independent, productive, and normal lives for the persons served. The proposed Employment First Policy shall not limit service and support options otherwise available to consumers, or the rights of consumers, or, where appropriate, parents, legal guardians, or conservators to make choices in their own lives.

(d) For purposes of this chapter, "integrated employment" shall have the same definition as "integrated work" as defined in subdivision (o) of Section 4851.

(e) The committee, by July 1, 2011, and annually thereafter, shall provide a report to the appropriate policy committees of the Legislature and to the Governor describing its work and recommendations. The report due by July 1, 2011, shall include the proposed Employment First Policy described in paragraph (4) of subdivision (c).

## APPENDIX B

### Membership of the Employment First Committee

<b><u>Name</u></b>	<b><u>Affiliation</u></b>
<b>Anderson, Tony</b>	The Arc of California
<b>Boomer, Daniel</b>	California Department of Education
<b>Chen, Rachel</b>	Family Advocate, Chinese Parent Advocates for the Disabled (CPAD)
<b>Cooley, Lisa</b>	Self Advocate
<b>Curtright, Denyse</b>	Department of Developmental Services
<b>Dutton, Dale</b>	Family Advocate
<b>Hansen, Robin</b>	University Center for Excellence in Developmental Disabilities, M.I.N.D. Institute
<b>Lapin, Connie</b>	Family Advocate. Autism Society of Los Angeles
<b>Moore, Bill</b>	Department of Rehabilitation
<b>Mudryk, Andrew</b>	Disability Rights California
<b>Pazdral, Elizabeth</b>	State Independent Living Council (SILC)
<b>Petrie, Dennis</b>	Employment Development Department
<b>Polit, Mark</b>	Service Employees International Union
<b>Raynor, Olivia</b> Chairperson	University Center for Excellence in Developmental Disabilities, UCLA
<b>Richey, Eileen</b>	Association of Regional Center Agencies (ARCA)
<b>Sarmiento, Debbie</b>	Family Resource Center Network of California (FRCNCA)
<b>Taylor, Robert M.</b>	Self Advocate
<b>Weller, Kecia</b>	Self Advocate
<b>Wheeler, Barbara</b>	University Center for Excellence in Developmental Disabilities, USC
<b>White, Cindy</b>	Self Advocate

## STATE COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** Regional Center Conflict of Interest (COI) Golden Gate Regional Center

**SUMMARY:** The Department of Developmental Services enacted emergency regulations regarding regional center conflict of interest (COI) standards and procedures. The regulations significantly change the involvement of the Council and local area boards by requiring both the Council and appropriate local area board to approve a waiver of conflict of interest not only for regional center board members, as is currently the case, but also for regional center executive directors.

On December 14, 2012, the Council received the first waiver of COI for a regional center director, James Shorter, of Golden Gate Regional Center (GGRC.)

**BACKGROUND/ISSUES/ANALYSIS:** The Department of Developmental Services enacted emergency regulations regarding regional center conflict of interest (COI) standards and procedures.

Prior to these regulations, both the Council and area board approved waivers for regional center board members (WIC 4628); however, the newly enacted regulations require that the Council and area board approve waivers for regional center executive directors in addition to board members.

Today, the Council will review the COI statement and plan submitted for review by GGRC for James Shorter, Executive Director. The facts are as follow:

1. James Shorter is the Executive Director of GGRC.
2. Mr. Shorter has a family member that is currently employed at an agency (Lifehouse, Inc.) that is vendored by GGRC. Mr. Shorter did not indicate in what capacity his family member is employed.
3. The family member's employment began on October 8, 2012 and is expected to end in less than 12 months.
4. Mr. Shorter disclosed that he "could potentially use his position to promote Lifehouse, Inc. with social workers attempting to influence the Individual Program Plan process thereby creating work for

Lifehouse, Inc and for my family member....I might influence the rates paid...I could also potentially stop negative actions against Lifehouse, Inc. preventing them from losing business.”

5. Mr. Shorter proposes to withdraw himself from any decisions affecting the financial position of Lifehouse. Specifically, Mr. Shorter will be precluded from participating in any decisions involving any change in the rates of reimbursement of Lifehouse during the period of his family member’s employment. Mr. Shorter will also be precluded from participation in any decisions regarding devendorization of Lifehouse.
6. As a substitute, the Chief Financial Officer shall make the final decisions without consulting Mr. Shorter regarding the rates and vendorization of Lifehouse.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** The Council has reviewed the newly enacted regulations; however, has not taken any action to comment on those regulations.

Neither the Council nor any Committee has taken action on this specific waiver request. If the proposed Conflict Resolution Plan of a regional center executive director is denied by the State Council or area board in the respective area, the executive director shall have 30 calendar days to either eliminate the conflict of interest or resign his or her position. DDS can grant the executive director an extension in which to complete any actions necessary to eliminate the conflict of interest; however, DDS cannot override the decision of the Council and/or area board.

**STAFF RECOMMENDATION:** The Council should thoroughly review the attached waiver request and take action accordingly.

Also, after reviewing this waiver request, the Council should reconsider submitting input into the enacted emergency regulations.

**ATTACHMENT:** 1) J. Shorter waiver request, 2) Current Council Policy on Waivers (which does not reflect the addition of executive director review.)

**PREPARED:** Melissa Corral, December 17, 2012



# Golden Gate Regional Center

Serving people with developmental disabilities since 1966

RECEIVED

DEC 14 2012

December 3, 2012

Brian Winfield  
Regional Center Operations Section (MS 3-9)  
Department of Developmental Services  
P. O. Box 944202  
Sacramento, CA 94244-2020

Dear Mr. Winfield,

In accordance with Title 17, §54533 (d), attached is a completed Conflict of Interest Reporting Statement and a proposed Conflict Resolution Plan for James L. Shorter, Executive Director of the Golden Gate Regional Center.

Should you have any questions, I may be reached at 415 495 7634.

By copy of this letter we are advising the Area Board and the State Council.

Sincerely,

Ron Fell, Chair  
Board of Directors

jkl

Enclosure

c: ☒ Roberta Newton, Acting Director, SCDD w/encl  
Denise Craig, Acting Director, Area Board 5 w/encl

[www.ggrc.org](http://www.ggrc.org)

875 Stevenson St., 6th Floor  
San Francisco, CA 94103  
(415) 546-9222

3130 La Selva St., Ste 202  
San Mateo, CA 94403  
(650) 574-9232

5725 Paradise Dr., Bldg. A Ste 100  
Corte Madera, CA 94925  
(415) 945-1600

**Conflict Resolution Plan:** Executive Director's Conflict of Interest as described in the attached Conflict of Interest Statement

**(1) Nature of the conflict of interest:**

See Conflict of Interest Statement.

**(2) Type of Interest:**

See Conflict of Interest Statement.

**(3) Actions to be taken, including necessary timeframes, to eliminate, mitigate and manage the conflict:**

The Executive Director shall be precluded from any decisions affecting the financial position of Lifehouse, Inc. Specifically, the Executive Director is precluded from participating in any decisions involving any change in the rates of reimbursement of Lifehouse, Inc. during the period of his family member's employment as increasing rates would potentially make more resources available for the hiring of staff and reducing rates would create pressure to hire less-costly staff (like the Executive Director's family member). The Executive Director shall also be precluded from participation in any decisions regarding devendorization of Lifehouse, Inc. as this would negatively impact the interests of his adult child whose part-time work may depend upon the vendor status.

**(4) Monitoring Mechanisms:**

The Chief Financial Officer shall make final decisions without consultation with the Executive Director regarding vendorization and rates for Lifehouse, Inc. The Chair of the Finance Committee of the Golden Gate Regional Center Board of Directors will review any decisions regarding the Lifehouse, Inc. regarding vendorization and rates to assure that the Executive Director has not been involved in the decisions.



Ron Fell, Chair, GGRC Board of Directors

Upon motion of the Golden Gate Regional Center Board of Directors in Executive Session on November 20, 2012.



James L. Shorter, GGRC Executive Director

**CONFLICT OF INTEREST REPORTING STATEMENT****DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**Name: James L. Shorter Regional Center: Golden Gate Regional Center

**Regional Center Position/Title:** ☐ Governing Board Member ☒ Executive Director  
☐ Vendor Advisory Committee sitting on Board ☐ Employee  
☐ Contractor ☐ Agent ☐ Consultant

**Reporting Status:** ☐ Annual ☐ New Appointment (date): \_\_\_\_\_  
☒ Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

I have an adult child who has accepted employment with a GGRC provider agency to become an employee. This creates a financial interest per Title 17 Section 54522.

1. Please list your job title and describe your job duties at the regional center.

Executive Director. Job description attached.

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).



<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input checked="" type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
☒ yes ☐ no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

Employment of Executive Director's family member began October 8, 2012. The provider is Lifehouse, Inc. Attached please find a description of vendored services. Employment is expected to end in less than 12 months.

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor? ☒ yes ☐ no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

The Executive Director's adult family member is an hourly employee of Lifehouse, Inc. Attached please find a description of vendored services.

4. Are you a regional center advisory committee board member? ☐ yes ☒ no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? ☐ yes ☐ no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? ☐ yes ☐ no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input checked="" type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>? ☒ yes ☐ no -- If yes, please explain.

I could potentially use my position to promote Lifehouse, Inc. with social workers attempting to influence the Individual Program Plan process thereby creating work for Lifehouse, Inc. and for my family member. Where Lifehouse, Inc. may provide services not already regulated by DDS with respect to rates, I might influence the rates paid. I could also potentially stop negative actions against Lifehouse, Inc. preventing them from losing business and preventing the layoff of my family member.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center? ☒ yes ☐ no -- If yes, please explain.

See job description attached. Normally such responsibilities would be delegated.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center? ☒ yes ☐ no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no -- If yes, please explain.

As defined in the Emergency Regulations, I will have a financial interest in the IPP "contracts" and the vendorization "contract" with Lifehouse, Inc.

9. Do any of your family members have a financial interest in any contract with the regional center? ☒ yes ☐ no  
If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ☐ yes ☒ no  
If yes, please explain.

As defined in the Emergency Regulations, my adult family member has a financial interest in the IPP "contracts" and the vendorization "contract" with Lifehouse, Inc.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- ☐ Governing Board Member
- ☐ Vendor Advisory on Board
- ☒ Executive Director
- ☐ Employee/Other


10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
☐ yes ☒ no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? ☒ yes ☐ no -- If yes, please explain.

There are circumstances where I am obligated by contract or agreement with the state to promote or protect the interests of the state where such actions may neither be consistent with the regional center's purposes nor in the best interests of people served by the regional center.

## B. ATTESTATION

I James L. Shorter (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 11/20/2012

### INTERNAL USE ONLY

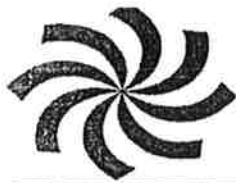
Date this Statement was received by Reviewer:

The reporting individual ☐ does ☐ does not have a ☐ present ☐ potential conflict of interest

Signature of Designated Reviewer

Date Review Completed





# Golden Gate Regional Center

Serving people with developmental disabilities since 1966

<b>Position Title:</b>	Executive Director
<b>Department:</b>	n/a
<b>Reports To:</b>	GGRC Board of Directors
<b>Work Hours:</b>	40 hours/week
<b>Primary Work Location(s):</b>	San Francisco Office
<b>Travel Required:</b>	Travel within California to attend trainings or meetings essential to accomplishing the responsibilities of the position

## Summary:

- ♦ To develop and oversee the vision, mission, values and strategic plan of GGRC and ensure alignment of this with the operations and programs of Golden Gate Regional Center; maintain implementation in accordance with applicable law, the contract with the Department of Developmental Services, and the direction of the GGRC Board.

## Responsibilities:

<b>♦ Supervisory:</b>		
	<i># Employees Supervised Directly</i>	<i># Employees Supervised through Subordinates</i>
<i>Management, Supervisory or Professional/ Technical</i>	5	to be filled in
<i>Support Staff (Secretarial, Clerical, etc.)</i>	1	to be filled in
<i>Percentage of time spent performing the same work tasks as the individuals supervised</i>	10%	

### Mission Implementation

- ♦ Define mission in collaboration with key stakeholders and effectively communicate the mission
- ♦ Create clear strategic plan with yearly goals and outcomes
- ♦ Drive the mission of the regional center by being a role-model and by providing clear directives in day to day activities and long term planning

### Fiscal Management

- ♦ Provide for the appropriate control and accountability of all funds, physical assets and other property
- ♦ Oversee operational systems that ensure fiduciary accountability for all funds received by the regional center
- ♦ Assure cooperation with our independent audit

### State Government Relations/Contract Administration

- ♦ Ensure regional center compliance with the provisions of the contract with the State Department of Developmental Services (DDS)
- ♦ Serve as principal liaison to DDS
- ♦ Develop and administer performance contract with DDS that is meaningful and reflects the priorities of GGRC
- ♦ Review and prepare various technical, narrative and statistical reports and summaries
- ♦ Interpret DDS directives and direct regional center personnel in accordance with such directives
- ♦ Develop and maintain a thorough knowledge of national and state events, trends, values, etc. that may impact the DD system and/or the operation of the regional center

### Management/Team Building

- ♦ Provide organizational guidance and leadership
- ♦ Serve as a visible, accessible leader
- ♦ Ensure strong staff of chiefs/directors is in place; provide coaching and mentorship
- ♦ Set overall Agency goals and individual directives to department heads to ensure effective implementation of initiatives, plans and policies
- ♦ Ensure quality and systems alignment to drive client outcomes
- ♦ Facilitate collaboration and information sharing across functions and practices
- ♦ Establish practices and policies that create a positive organizational climate and demonstrated commitment to staff

### Community/Provider Relations

- ♦ Act as a representative for the regional center in the community and at the local, state and national level
- ♦ Develop and maintain a positive public image of the regional center in the community; create change that will increase community awareness and acceptance of individuals with developmental disabilities
- ♦ Seek out and identify input from the community; address issues/concerns
- ♦ Act as a liaison to other health and human service agencies, public agencies, and governmental agencies, on the local, state and national level, build relationships within the community and within the larger state system

- ♦ Maintain all client information as confidential in compliance with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Lanterman Act

#### **Board Relations**

- ♦ Provide advice, counsel and information to the GGRC Board in order to assist them in setting policy and in monitoring the performance of the regional center
- ♦ Keep the Board informed of GGRC activities, strategic decisions and performance outcomes
- ♦ Represent the GGRC Board and serve as principal liaison between the Board and staff, client population, community, state and local governments
- ♦ Execute Board policies and decisions that align with legal policy and state mandate

#### **Personnel Administration**

- ♦ Ensure the development and implementation of a comprehensive personnel system, including policies, procedures, practices, compensation plans, recruitment and selection efforts, performance appraisal practices, staff development, affirmative action, and other personnel activities

#### **Quality Assurance**

- ♦ Ensure the establishment of policies and operational procedures that provide for the protection of the health and safety of consumers and assess the effectiveness of services provided
- ♦ Ensure the implementation of procedures to gather data on family/consumer satisfaction

#### **Resource Development**

- ♦ Oversee the establishment and maintenance of mechanisms for identifying unmet needs and developing resources to meet these needs; invest in technology and systems to meet evolving client needs and increase efficiencies

### **Required Qualifications:**

#### **Education/Training:**

- ♦ Bachelor's degree in a field of business, human services, health, or administration

#### **Experience:**

- ♦ 5+ years work in an upper level management and/or executive/top tier administrative capacity with budgetary oversight in a health or social service-related field

#### **Skills:**

- ♦ Knowledge of the principles, practices, and techniques of administration, management and supervision of a professional staff including finance, operations, HR, legal, quality, technology, organizational development, etc.
- ♦ Thorough knowledge of state system politics, legislation and procedures
- ♦ Excellent written, oral, and presentation skills; facility with public speaking
- ♦ Basic computer skills and familiarity with popular software applications

#### **Competency Traits:**

- ♦ Lead team in reaching client outcomes and in the effective management and operations of the Agency; follow up with direct staff/project leader at key phases to provide feedback and ensure deadlines are being met
- ♦ Create energy around and understanding of the agency mission; provide team with direction and purpose focused on client outcomes, values and quality service standards
- ♦ Balance mission and legal mandates to ensure continued service provision and on-going operations of Agency
- ♦ Think strategically; develop innovative, new concepts and create strategies to drive agency mission
- ♦ Demonstrate flexibility; adapt and adjust views/approaches and refocus the strategic plan as needed
- ♦ Think critically in decision making and problem solving; actively explore the pros and cons of options that will impact the *Agency as a whole*; identify problems and quickly and/or effectively resolve them
- ♦ Use insight and understanding of individual/audience to persuade them to 'get on board' with a particular initiative
- ♦ Make self accessible to direct staff to provide information, make decisions, and provide real-time feedback ensuring the continued, timely flow of operations; make self accessible, as appropriate to GGRC employees
- ♦ Communicate open and directly with staff
- ♦ Build partnerships and trust through collaboration, active listening and an openness to new ideas
- ♦ Involve employees at all levels and across all functions when gathering input; bring together Agency and community stakeholders that will be affected by a decision or project to help shape it and build sense of ownership
- ♦ Empower staff based on assessment of ability
- ♦ Address performance issues; hold people accountable as needed and reward as appropriate
- ♦ Demonstrate respect and cultural awareness; effectively manage own reactions
- ♦ Value and communicate that all levels of organization impact clients' lives

### **Desired Qualifications:**

- ♦ Master's degree in a field of business, human services, health, or administration
- ♦ Experience with the Developmentally Disabled population
- ♦ Experience in multi-cultural settings and/or multi-lingual capacity

Lifeshouse Vendor#	Vendor Name	Service code	Service Category	Ratio if applicable
PG0371	Lifeshouse	55	Community Integration Training	1 to 1
PG0371	Lifeshouse	62	Personal Assistance	1 to 1
PG0371	Lifeshouse	91	In Home Day Program	
H89149	Lifeshouse-Nova House	109	Supplemental Residential Program Support	1 to 1
P19145	Lifeshouse-Adaptive Skills Trainer	605	Adaptive Skills Trainer	
H19653	Lifeshouse-Independent Living Program	520	Independent Living Program	
H19653	Lifeshouse-Independent Living Program	896	Supported Living	
H00962	Lifeshouse-Laurel Place	915	Residential Facility	
H00962	Lifeshouse-Laurel Place	868	Out of Home Respite	
H05457	Lifeshouse-Marin House Fairfax	915	Residential Facility	
H12102	Lifeshouse-Sunrise II	930	Intermediate Care Facility	
H88905	Lifeshouse-Supervised Apt Program #3	896	Supported Living	
H12432	Lifeshouse-Supervised Apt Program #1	896	Supported Living	
H88796	Lifeshouse-Supported Living #2	896	Supported Living	

5. Require candidates for nomination, election, or appointment to a RC board, and applicants for RC director to disclose any potential or present conflicts of interest prior to being appointed, elected, or confirmed for hire by the RC or RC governing board.
6. Require the RC and its governing board to regularly and consistently monitor and enforce compliance with its conflict-of-interest policy.

## **B. Conflict of Interest Reporting**

Welfare and Institutions Code Section 4626(e-l) sets the process for reporting conflicts of interest. The reporting process is:

1. DDS is responsible for developing a Conflict of Interest Reporting Statement (Statement.)
2. The Statement shall be completed by each RC governing board member and executive director within 30 days of selection, appointment or election and annually thereafter. A Statement must also be completed upon any change in the status of the board member or executive director that creates a potential or present conflict of interest.
3. DDS and the appropriate RC governing board shall review the Statements of each board member and the executive director to ensure that no conflicts of interest exist; however, if a present or potential conflict of interest is identified for a board member or executive director that cannot be eliminated, the RC governing board shall submit to DDS and the Council, a copy of the Statement and a plan that proposes mitigation measures within 30 days (including timeframes and actions that the governing board or individual will take to mitigate the conflict of interest.)

The submission of this Statement and mitigation plan is not considered a request for waiver.

## **C. Conflict of Interest Criteria**

California law outlines the criteria by which DDS evaluates conflicts arising among RC board members.

Additionally, it is expected that board members will be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the RC, its consumers or its mission.

**DATE: SEPTEMBER 2011**

**TO: ALL AREA BOARDS**

**FROM: STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

**RE: REGIONAL CENTER REQUESTS FOR WAIVER OF CONFLICT OF INTEREST CRITERIA PROCESS**

---

## **BACKGROUND**

The purpose of these procedures is to establish consistent evaluation criteria and process of requests for waivers in accordance with Welfare and Institutions Code Sections 4622 *et seq.* and Title 17 Section 54520. These procedures shall be used by the California State Council on Developmental Disabilities (Council) and local area boards.

\*These procedures may be revised in accordance with imminent regulatory changes.

### **A. Regional Center Conflict of Interest Policy**

The establishment and implementation of a conflict of interest policy and reporting process for regional centers (RC) is intended to minimize, if not eliminate, the occurrence of conflicts of interest in certain settings. This seeks to ensure that the RC board members act in the course of their duties solely in the best interest of the consumers and their families without regard to the interest of any other organization with which they are associated.

Each RC shall submit a conflict-of-interest policy to the Department of Developmental Services (DDS) by July 1, 2011, and shall post the policy on its Internet Web site by August 1, 2011. The policy shall do, or comply with, all of the following:

1. Be consistent with applicable law.
2. Define conflicts of interest.
3. Identify positions within the regional center required to complete and file a conflict-of-interest statement.
4. Facilitate disclosure of information to identify conflicts of interest.



5. Require candidates for nomination, election, or appointment to a RC board, and applicants for RC director to disclose any potential or present conflicts of interest prior to being appointed, elected, or confirmed for hire by the RC or RC governing board.
6. Require the RC and its governing board to regularly and consistently monitor and enforce compliance with its conflict-of-interest policy.

## **B. Conflict of Interest Reporting**

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1. DDS is responsible for developing a Conflict of Interest Reporting Statement (Statement.)
2. The Statement shall be completed by each RC governing board member and executive director within 30 days of selection, appointment or election and annually thereafter. A Statement must also be completed upon any change in the status of the board member or executive director that creates a potential or present conflict of interest.
3. DDS and the appropriate RC governing board shall review the Statements of each board member and the executive director to ensure that no conflicts of interest exist; however, if a present or potential conflict of interest is identified for a board member or executive director that cannot be eliminated, the RC governing board shall submit to DDS and the Council, a copy of the Statement and a plan that proposes mitigation measures within 30 days (including timeframes and actions that the governing board or individual will take to mitigate the conflict of interest.)

The submission of this Statement and mitigation plan is not considered a request for waiver.

## **C. Conflict of Interest Criteria**

California law outlines the criteria by which DDS evaluates conflicts arising among RC board members.

Additionally, it is expected that board members will be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the RC, its consumers or its mission.

Pursuant to Welfare and Institutions Code section 4626(b), no member of the governing board or member of the program policy committee of a RC shall be any of the following:

1. An employee of DDS or any State or local agency that provides service to a RC consumer, if employed in a capacity which includes administrative or policymaking responsibility, or responsibility for the regulation of the RC.
2. An employee or member of the Council or area board,
3. With the exception of a consumer advisory committee member, an employee or member of the governing board of any entity from which the RC purchases consumer services.
4. Any person who has a financial interest in RC operations, except as a consumer of RC services.

Title 17 provides additional conflict of interest criteria which may or may not encompass the criteria set forth in statute. In accordance with 17 CCR 54520, the following constitute conflicts of interest for RC board members:

5. When a member of the board or their family member is: a) a director, officer, owner, partner, shareholder, trustee or employee of any business entity or provider, b) holds any position of management in any business entity or provider or, 3) has decision or policymaking authority in such an entity or provider.
6. When the advisory committee board member is an employee or member of the governing board of a provider from which the RC purchases client services and engages in the fiscal matters. If so, this member is prohibited from serving as an officer of the RC governing board and from voting on fiscal matters or issues.
7. When a governing board member is any individual described in WIC 4626.

#### **WAIVER OF CONFLICT OF INTEREST EVALUATION PROCESS**

If there is good reason that a RC is unable to meet all of the criteria for their board, the director of DDS may waive the criteria for a period of time, not to exceed one year, with the approval of the appropriate area board and the Council in accordance with WIC 4628.

The Council/area board procedure for evaluating requests for waiver shall be:

1. When area board receives a request for a waiver, it shall be scheduled for discussion and action during the next available area board meeting.
2. When evaluating a request for waiver, the area board shall discuss and analyze the following:
  - a. Does the RC have and utilize a public board member recruitment process? If not, what recruitment efforts were implemented with respect to the board member in question?
  - b. What specific criteria are involved in the request? Is the individual prohibited from serving based on the statute (C. 1-4 above) or regulation (C. 5-7 above) or both?
  - c. Does the proposed mitigation plan effectively address avoidance of the identified conflict of interest?
  - d. What impact will the approval/denial of the waiver have on the RC board?
  - e. Has the RC requested a waiver on behalf of the same individual before? If so, how long ago?
3. Upon evaluating the request, the area board shall take action to approve/deny the waiver request unless additional information is requested from RC.
4. Within 5 business days of taking action, the area board shall forward their analyses and action to the Council.
5. The Council shall schedule a discussion and action for the next available regular Council meeting. During the discussion, the Council shall review the area board analyses. The Council shall take action to approve/deny the waiver unless further information is requested from the area board.
6. The Council shall submit their action to DDS within 5 business days.

## AGENDA ITEM DETAIL SHEET

**ISSUE:** Crimson Treatment & Research Center, (Fiscal Agent of Involved Exceptional Parents' Day (IEP) Committee).

**BACKGROUND:** The IEP DAY community collaborative, which is made up of parents and professionals from both education and services organizations, is making its first request of \$999.00 in funding. This funding will help pay for keynote speakers. The **"30<sup>th</sup> Annual Involved Exceptional Parents Day Conference"** for parents of children with special needs and the professionals who work with them. The theme of this year's conference is "Strength in Partnerships: Building Stronger Relationships in the Home and Community"

**ANALYSIS/DISCUSSION:** The conference will be held on Saturday, March 23, 2013 at the Handlery Hotel in Mission Valley, San Diego.

This conference provides important information on laws, policies and best practices, training and up to date resources for parents, enabling them to meet the needs of their child, enhancing the quality of their lives and helping them to work toward achieving their highest potential. There will be a strand of workshops conducted in Spanish. This year they are offering workshops on various topics such as: Person Centered Planning, College to Career, Mental Health Services and Education, How Kids Learn, Discipline and Behavior Plans, Vision Skills and Vision Therapy, Assistive Technology and Finding the Right Advocate. In addition each year we offer workshops on the IEP process to empower parents as advocates in the child's education. They will also offer interpretation for other languages and hearing impaired.

The conference typically averages 220 attendees of which 80% are parents/family members, 2% are consumers and 18% are professionals.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** Individuals with developmental disabilities have the information, skills, opportunities and support to advocate for their rights and services and to achieve self-determination, independence, productivity, integration and inclusion in all facets of community life.

**PRIOR COUNCIL ACTIVITY:** Since the beginning of FY 2012-13, the Council has awarded \$1,949.00 for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2012.

**RECOMMENDATION(S):** Award \$999.00 to 30<sup>th</sup> Annual Involved Exceptional Parents Day Conference for individuals with developmental disabilities and their family members to participate in this conference.

**ATTACHMENTS(S):** 1. Sponsorship request  
2. Sponsorship budget page  
3. Letter of support

**PREPARED BY:** Kristie Allensworth, December 20, 2012



## *Involved Exceptional Parents' Day 2010 Conference*

[www.iepday.org](http://www.iepday.org)

November 28, 2012  
SCDD SPONSORSHIP REQUEST



The IEP DAY community collaborative, which is made up of parents and professionals from both education and service organizations, is making its' first request of \$999.00 in funding. This funding will help pay for our keynote speakers. Our collaborative is hosting its' **30<sup>th</sup> Annual Involved Exceptional Parents Day Conference** for parents of children with special needs and the professionals who work with them. The theme of this year's conference is **"Strength in Partnerships: Building Stronger Relationships in the Home and Community". 30 Year Anniversary Celebration.**

The conference will be held on Saturday March 23, 2012 at the Handlery Hotel, Mission Valley, San Diego.

This conference provides important information on laws, policies and best practices, training and up to date resources for parents, enabling them to better meet the needs of their child, enhancing the quality of their lives and helping them work toward achieving their highest potential. We have a strand of workshops in Spanish. This year we are offering workshops on various topics such as: Person Centered Planning, College to Career, Mental Health Services and Education, How Kids Learn, Discipline and Behavior Plans, Vision Skills and Vision Therapy, Assistive Technology and Finding the Right Advocate. In addition each year we offer workshops on the IEP process to empower parents as advocates in their child's education. We also offer interpretation for other languages and hearing impaired.

We typically have an average of 220 attendees at the conference. 80 % of attendees are parents/family members, 2% are consumers and 18% are professionals.

Our Save the Date flyers are distributed (via mail & email) 5 to 6 months prior to the event followed by our registration packet to past attendees, are given to each SELPA in San Diego County, taken directly to local area schools and sent to various local agencies for distribution and to be included in agency newsletters.

We also include the Save the Date flyer and registration packet on the IEP Day website as well as emailing them to a variety of education and service organizations and San Diego Regional Center service coordinators throughout San Diego and Imperial Counties.

We acknowledge all our sponsors in the Conference Program Packet given to attendees the day of the event and would be happy to send a copy to the State Council when the packets are printed.

The following attachments are included:

Save the Date flyer

Budget Sheet

Last year's registration packet

Letter of recommendation

Thank you for your consideration of our sponsorship request. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Searcy", written in a cursive style.

Karyn Searcy, Director  
Crimson Treatment & Research Center (Fiscal Agent of IEP Day Committee)  
9606 Tierra Grande, Ste 107  
San Diego, CA 92126  
858-695-9415





## 2013 Involved Exceptional Parents' Day Conference

**Strength in Partnerships: Building Stronger Relationships in the Home and Community**

### 30 Year Anniversary Celebration

First held in 1983, Involved Exceptional Parents' Day (IEP Day) continues to play a vital role in the San Diego County area special needs community. The conference was originally launched by Parent Facilitators whose goal was to create the only forum of its kind for learning and support for families of special needs children with a range of diagnoses.

Now in its 30<sup>th</sup> year, a committee of parents and 15 different professional agencies carry on the tradition of providing parent and student resources, learning opportunities, and hope.

Come Celebrate and Learn With Us!



**Handlery Hotel, Hotel Circle, San Diego**  
**March 23, 2013**  
[www.iepday.org](http://www.iepday.org)



# IEP DAY Budget 2013

INCOME		2009 Totals	2010 Budget	2010 Actual	2011 Budget	2011 Actual	2012 Budget	2012 Actual
Balance from prior Confer		0.00	3,650.40	12,122.94	12,075.78			10,449.94
Registrations		6,700.00	6,700.00	5,055.00	5,500.00		5,500.00	9,015.00
Sponsorships		3,250.00	750.00	950.00	0.00			1,795.00
Foundation		5,000.00	5,000.00	5,000.00	5,000.00	5,000.00		5,000.00
EFRC		3,984.00		3,000.00	3,000.00		3,000.00	1,000.00
Resource Fair		2,350.00	2,200.00	2,030.00	2,000.00		2,000.00	3,105.00
Ads		335.00	300.00	1,415.00	1,200.00		1,200.00	1,035.00
Other Income				200.00			0.00	4,436.50
<b>Totals</b>		<b>#####</b>	<b>13,600.40</b>	<b>17,650.00</b>	<b>16,700.00</b>		<b>11,700.00</b>	<b>35,836.44</b>

\$1,500.00 donation from Exceptional Family Resource Center

**\$999.00 SCDD request for funds**

**14,250.96**

EXPENSES	2009 Totals	2010 Budget	2010 Actual	2011 Budget	2011 Actual	2012 Budget	2012 Actual
Supplies	230.00	250.00	15.21	100.00		100.00	87.88
Printing and copying	635.00	700.00	900.00	900.00		900.00	921.26
Postage & shipping	545.60	600.00	152.69	600.00		600.00	
Catering/food	7,245.00	7,500.00					
Conference Site Expense	1,050.00	1,050.00					
Equipment & Software	4,009.00	4,200.00					
Total Hotel Cost (includes food, site expense, eq			17,158.38	19,000.00		19,000.00	#####
CEU application fees	0.00	0.00	0.00	0.00		0.00	0.00
Travel	1,500.00	1,500.00	477.20	1,000.00		1,000.00	0.00
Speakers	1,800.00	1,800.00	0.00	1,000.00		1,600.00	2,600.00
Books/publications	0.00	0.00	0.00	0.00		0.00	0.00
Volunteer/Speaker Gifts	250.00	250.00	50.00	250.00		250.00	
Give Aways	515.00	550.00	799.93	500.00		500.00	
Miscellaneous (Website)	189.00	150.00	177.00	100.00		100.00	95.52
Other Expenses		1,150.00					
Totals	#####	18,650.00	19,730.41	23,450.00		24,050.00	24,084.48

Profit / Loss:	3,650.40	-5,049.60	-2,080.41				11,751.96
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[illegible]



ONLINE REGISTRATION!  
¡INSCRIPCION POR INTERNET!  
[www.iepday.org](http://www.iepday.org)



858-576-2966 English  
619-336-6681 Español



¡TALLERES EN ESPAÑOL!



ONLY \$40!  
¡UNICAMENTE \$40!



Registration includes a  
continental breakfast, lunch  
and conference materials.  
*El costo incluye desayuno  
continental, almuerzo y todos  
los materiales necesarios.*



Childcare will not be provided. Please  
do not bring children. *El cuidado de  
niños no será proporcionado. Por  
favor dejen sus niños en casa.*



Parking Fee is \$3 for the day,  
Sorry, no in and out. *El costo del  
estacionamiento es de \$3 por día.  
No puede salir durante el día.*

29th Annual

# Involved Exceptional Parents' Day Conference

*for parents of children with special needs and the professionals who work with them*

## Today & Tomorrow— Transitions Through Life

Congreso Anual #29

Día del Padre Involucrado Excepcional

*para padres de niños con necesidades especiales y los profesionales que trabajan con ellos*

*Hoy y mañana—transiciones a lo largo de la vida*

### Saturday, March 17, 2012

Handlery Hotel Mission Valley, San Diego CA

### Keynote Speakers/Oradora Principales Carrie Gibson & Anthony Curry/Not Just Ramps

Carrie Gibson and Anthony Curry created Had to Be Productions, a unique theatrical company that tours throughout the country. One of their productions, Not Just Ramps, is a documentary about physical, emotional and societal issues for people with disabilities. This documentary evolved out of Curry's personal experience raising his son who has autism and interviewing individuals with a variety of disabilities and their families. The actors/playwrights portray these individuals as they tell vivid stories about themselves and their experiences. The presentation includes an interactive discussion to help participants gain a deeper understanding of human dignity, cope with emotional reactions and touch on issues that are perhaps uncomfortable but necessary for true inclusion.

*Carrie Gibson y Anthony Curry crearon 'Tenía Que ser Producciones', una compañía teatral única que recorre todo el país. Una de sus producciones, No Sólo Rampas, es un documental sobre las físicas, emocionales y cuestiones sociales que enfrentan personas con discapacidades. Este documental evolucionó a partir de la experiencia personal de Curry criando a su hijo con autismo y también de entrevistas con personas con una variedad de discapacidades y sus familias. Los actores/dramaturgos retratan a estas personas que cuentan historias y experiencias vividas de sí mismos. La presentación incluye un debate interactivo para ayudar a los participantes lograr una comprensión más profunda de la dignidad humana, frente a reacciones emocionales tocando temas que son tal vez incómodos, pero necesarios para una verdadera inclusión.*





# Conference Schedule/Horario de las Conferencias

7:30 a.m.	- 8:30 a.m.	Registration, Exhibits & Continental Breakfast/ Inscripción, Recursos y Desayuno Continental
8:30 a.m.	- 9:30 a.m.	Keynote Address/Orador de Honor
9:30 a.m.	- 9:45 a.m.	Exhibits/Recursos
9:45 a.m.	- 11:15 a.m.	Concurrent Workshops A/Talleres Simultáneos A
11:15 a.m.	- 11:30 a.m.	Break/Descanso
11:30 a.m.	- 12:30 p.m.	Lunch and Exhibits/Almuerzo y Recursos
12:30 p.m.	- 2:00 p.m.	Concurrent Workshops B/Talleres Simultáneos B
2:00 p.m.	- 2:15 p.m.	Break/Descanso
2:15 p.m.	- 3:45 p.m.	Concurrent Workshops C/Talleres Simultáneos C
3:45 p.m.	- 4:00 p.m.	Break/Descanso
4:00 p.m.		Parent Wrap-Up Session and Raffle/Sesión de Despedida y Rifa

(\*\*) Workshops A2, B2, C2 are in English. Spanish translation will be provided.

Los talleres A2, B2, y C2 serán presentados en inglés, pero la traducción española será proporcionada.

## 9:45 a.m. - 11:15 a.m. ~ Concurrent Workshops/Talleres Simultáneos

### A1

#### **FIRST DO NO HARM: THE ROLE OF NON-WESTERN HEALING ~ ALL AGES ~ Paul Kurtin, M.D.**

This workshop will address ways to improve the health and care of children, youth and adults with disabilities. Issues such as cure versus healing and the need to assess the safety and goals of various non-Western practices in the care and treatment of these individuals will be discussed.

### A2

#### **IEP'S: GETTING IT ALL ORGANIZED AND UNDERSTANDING PROCEDURAL SAFEGUARDS ~ BIRTH-HIGH SCHOOL ~ Marta V. Leyva**

Parents will learn why it is important to have their child's IEP/ special education documents well organized, how to best organize them, as well as, receive a simplified summary of their procedural safeguards.(\*\*)

### A3

#### **PERSON-CENTERED PLANNING: AN ESSENTIAL TOOL FOR FAMILIES OF CHILDREN IN PRESCHOOL AND ELEMENTARY SCHOOL ~ PRE, ELEM SCHOOL ~ Lisa Houghtelin; Dr. Jacqueline Thousand**

Participants will become aware of the concept and benefits of person-centered planning, and become familiar with person-centered planning processes. Real-life examples of the tools in use will be shared.

### A4

#### **FAMILY AND COMMUNITY INVOLVEMENT IN THE TRANSITION PLANNING PROCESS ~ TRANSITION TO ADULT/MIDDLE, HIGH, ADULT ~ Jason Naranjo, Ph.D.**

This workshop will focus on the vital role that families and community members play in the process of fostering positive long-term outcomes for youth with disabilities. Specifically, information will be presented on how to effectively navigate secondary special education planning and service provision.

### A5

#### **PADRES DESAFIANDO AL ADHD ~ ALL AGES ~ Maria Quintero; Carlos Quintero González**

Exposición, cuestionarios, herramientas y testimonio. Proporcionar información científica y esperanza sobre el manejo del trastorno para que los padres puedan actuar en forma preventiva y ayuden a sus hijos a desarrollar todo su potencial.

## 12:30 p.m. - 2 p.m. ~ Concurrent Workshops/Talleres Simultáneos

- B1 REAL LIFE TECHNOLOGIES (VIDEO MODELING) ~ ALL AGES ~ Jenna Sleichter**  
The use of video modeling to teach play skills, social skills, self help skills etc. The use of silent reminders, motivAiders, activity schedules, iPods etc to increase social skills, change behavior and increase independence.
- B2 PUTTING IT ALL TOGETHER: ASSESSMENTS AND IEP GOALS ~ BIRTH-HIGH SCHOOL ~ Marta U. Leyva**  
Parents will learn how to request assessments, what to expect regarding timelines and how they are used to develop IEP goals. (\*\*)
- B3 SOCIAL COGNITION: MUCH MORE THAN SOCIAL SKILLS ~ ELEM TO ADULT ~ Janet Dudley; Juli P. Vazquez**  
This workshop will describe the difference between thinking socially and social skills. In addition, we will give specific strategies and techniques family members can use to improve social cognition and related social skills.
- B4 BACK TO THE BASICS OF PERSON-CENTERED PLANNING: EMPOWERING INDIVIDUALS AND THEIR FAMILIES TO PLAN FOR QUALITY FUTURES (MAPS/PATH) ~ TRANSITION TO ADULT/MIDDLE, HIGH, ADULT ~ Caren Sax**  
Participants will learn skills and resources related to person-centered planning that can be used with transition-aged students and adults. The focus is on recognizing the skills it takes for individuals to drive their own plans in order to gain meaningful employment, lifelong learning, and relationships that facilitate community access and integration.
- B5 APOYO DE COMPORTAMIENTO POSITIVO ~ NACIMIENTO. ESCUELA PRIMARIA. SECUNDARIA ~ Oscar C. Madera**  
Aprenda a modificar el comportamiento usando soluciones positivas. Proveer a los padres el conocimiento de los principios del Análisis Aplicado del Comportamiento y la forma de aplicarlos a las actividades diarias.

## 2:15 p.m. - 3:45 p.m. ~ Concurrent Workshops/Talleres Simultáneos

- C1 DIFFICULT CONVERSATIONS: TALKING FOR SUCCESS AND PREPARING FOR PARTNERSHIP ~ ALL AGES ~ Dr. Tarane Sondoozi; Diana Loiewski**  
A fun and interactive learning opportunity with key tools that promote effective IEP meeting preparation and foster successful communication between those involved.
- C2 REAL LIFE STRATEGIES FOR STRENGTH IN TRANSITIONS ~ BIRTH-HIGH SCHOOL ~ Christopher Walsh**  
This workshop is designed to help parents recognize the benefit of a mindful, reflective technique of dealing with the very real but manageable stressors during transitions of any kind and will include tips on how to react effectively, self-awareness and inner composure that can be used in real-life, practical, daily application. (\*\*)
- C3 WHY DOES MY CHILD NEED A 504 OR AN IEP? ~ BIRTH-HIGH SCHOOL ~ Marta U. Leyva**  
Parents will learn the legal differences between a 504 and an IEP. They will also understand the different components of each; accommodations versus Goals and Services.
- C4 YOUTH TRANSITION TOOLKIT: EMPOWERING YOUTH WITH DISABILITIES IN A SUCCESSFUL TRANSITION TO LIFE AFTER HIGH SCHOOL ~ TRANSITION TO ADULT/MIDDLE, HIGH, ADULT ~ Rachel Stewart**  
This workshop will provide an overview of the Youth Transition Toolkit website, empowering youths with all different types of disabilities ages 12-22+. This toolkit provides tips and resources to youths for successful transition from junior high school into high school, then on to post-secondary education, employment, and independent living.
- C5 ¿POR QUÉ LAS PALABRAS NO BASTAN: QUÉ HACER CUANDO EL NIÑO NO ESTÁ HABLANDO? ~ NACIMIENTO A ESCUELA PRIMARIA ~ Juli P. Vazquez; Janet Dudley**  
Conocer las palabras y saber utilizarlas, especialmente para fines sociales, no necesariamente sucede así. Aprenda las habilidades que su hijo necesita para hacer la transición de ser un usuario de una sola palabra a ser un comunicador social.



**San Diego Regional Center**  
 San Diego-Imperial Counties Developmental Services, Inc.  
 4355 Ruffin Road, San Diego, CA 92123  
[www.sdrc.org](http://www.sdrc.org) • (858) 576-2996

## Conference Sponsors Patrocinadores de la Conferencia

California State Council on Developmental Disabilities  
 Area Board XIII  
[www.scdcd.ca.gov](http://www.scdcd.ca.gov)

Crimson Treatment and Research Center  
[www.crimsoncenter.com](http://www.crimsoncenter.com)

Down Syndrome Assn of San Diego  
[www.dsasdonline.org](http://www.dsasdonline.org)

Exceptional Family Resource Center  
[www.eifrconline.org](http://www.eifrconline.org)

Foundation for Developmental Disabilities  
[www.FoundationforDD.org](http://www.FoundationforDD.org)

San Diego Family Magazine  
[www.sandiegofamily.com](http://www.sandiegofamily.com)

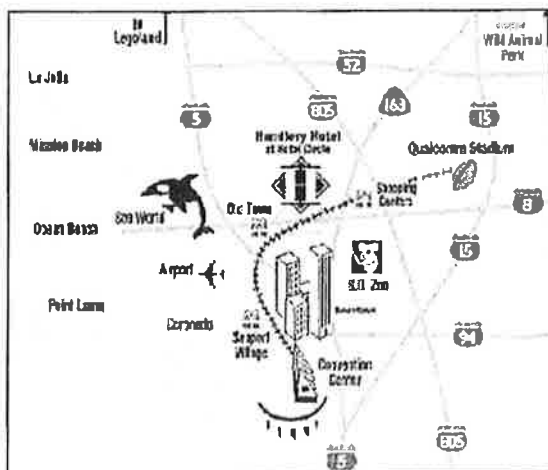
San Diego Regional Center  
[www.sdrc.org](http://www.sdrc.org)

San Diego Unified School District  
 Special Education Division and Community Advisory Committee  
[www.sandi.net](http://www.sandi.net)

**For more than 25 years**, parents and professionals have participated in this unique, one day conference. Share the opportunity to learn in a collaborative environment at San Diego's annual Involved Exceptional Parents' Day. Please join us! **Por mas de 25 años**, padres y profesionales han participado en este tan especial congreso de todo un día. Le invitamos a compartir la oportunidad de aprender en un ambiente de colaboración en el Congreso 2012.

## Directions/Direcciones

**Handlery Hotel**  
 950 Hotel Circle No.  
 San Diego CA 92108



### From Interstates 805, 163 & 15

Take 8 West to Hotel Circle North; Turn left at stop sign; Turn right into the Handlery Hotel and Resort parking

### From Freeway 5 (San Diego International/Lindbergh Field)

Take 8 East to 2nd Hotel Circle North Exit; Turn left at stop sign; Follow road back under freeway to North Side; Go through two signals and one stop sign; Turn right into the Handlery Hotel and Resort parking

### From Downtown

Take 163 North to I-8 West; Follow I-8 West; Use the Hotel Circle exit and veer left at the stop sign

### Desde las autopistas 805, 163 y 15

Tome la autopista 8 West (oeste) y salga en Hotel Circle North; Dé vuelta a la izquierda en el semáforo; Dé vuelta a la derecha de inmediato en el estacionamiento del hotel Handlery

### Desde la autopista 5 (a la altura del aeropuerto internacional Lindbergh Field)

Tome la autopista 8 East (este) hasta la segunda salida de Hotel Circle North; Dé vuelta a la izquierda en el semáforo; Siga por el camino bajo el puente hacia el otro lado de la autopista (lado norte); Pase dos semáforos y una señal de alto; Dé vuelta a la derecha de inmediato en el estacionamiento del hotel Handlery

### Desde el centro de la ciudad

Tome la autopista 163 North (norte) hasta la autopista 8 West (oeste); Continúe por la 8 West; Salga en Hotel Circle y de vuelta a la izquierda en la señal de alto; Dé vuelta a la derecha de inmediato en el estacionamiento del hotel Handlery



# Registration Form/Forma de Registro IEP Day ~ March 17, 2012

Please return this form along with your payment by March 12, 2012.

*Por favor, adjunte el pago con la forma de registro antes del 12 de marzo 2012.*

Make checks payable to: IEP Day and mail to: Extienda el cheque: IEP Day y mándelo a:

San Diego Regional Center, C.S. Dept., Attn: Barbie Lynch, 4355 Ruffin Road, #104, San Diego CA 92123

## 1 Print Legibly/Escriba Claramente

Submit a separate form for each attendee and complete all information. If you have questions contact Barbie Lynch at 858-576-2966 (Español: Sonia Griffin, 619-336-6681). If you need special accommodations, please contact Michele Geving at 619-688-3323 no later than March 2, 2012. *Complete toda la información requerida en ésta hoja. Por favor, haga una copia de ésta hoja para cada persona que se registre. Si necesita arreglos especiales o tiene preguntas, por favor deje un mensaje al 619-688-3323 antes del 2 de marzo 2012.*

Name/Nombre \_\_\_\_\_

Agency/Agencia \_\_\_\_\_

Address/Dirección \_\_\_\_\_

City/Ciudad \_\_\_\_\_ St/Est \_\_\_\_\_ Zip/Cod Postal \_\_\_\_\_

Daytime Phone/Telefono Dia ( ) \_\_\_\_\_ E-mail: \_\_\_\_\_

## 2 Payment Information/Información del Pago

☐ Online Registration/registro en línea ~ [www.iepday.org](http://www.iepday.org)

☐ Check Enclosed/Cheque Incluido ☐ \$40 (Parent/Family Member) (Padre/de Familiar) ☐ Professional (\$40)

☐ I would like to sponsor another parent to attend this conference (\$40 or extra amount enclosed): \_\_\_\_\_

☐ Scholarship (funded by)/Beca (patrocinada por): \_\_\_\_\_

**Important! If you receive a scholarship and you DO NOT ATTEND, you will be billed \$25. ¡Importante! Si usted recibe una beca y NO ASISTE, se le cobrará \$25!**

**NO REFUNDS** for no-shows or cancellations received after 3/9/12. *No habra reembolsos por cancelaciones recibidas despues del 3/9/12 o por no presentarse.*

## 3 Workshop Selection/Preferencia de Talleres

Please provide your 1<sup>st</sup> & 2<sup>nd</sup> choices for each time slot: *Por favor escoja su seleccion #1 o #2 y marque la en el espacio:*

A \_\_\_\_\_ A \_\_\_\_\_  
(1<sup>st</sup> choice/opción) (2<sup>nd</sup> choice/opción)

B \_\_\_\_\_ B \_\_\_\_\_  
(1<sup>st</sup> choice/opción) (2<sup>nd</sup> choice/opción)

C \_\_\_\_\_ C \_\_\_\_\_  
(1<sup>st</sup> choice/opción) (2<sup>nd</sup> choice/opción)

Space is limited and workshops fill up quickly. Every effort will be made to assign your first choices, however, room sizes are limited and conference choices will be assigned on a first come, first serve basis. *El espacio es limitado y los talleres se llenan rapidamente. De cualquier manera, se hara cualquier esfuerzo para asignarle su primera opcion, el espacio de los salones es limitado y las opciones de clases seran asignadas en el orden en que lleguen, quien llegue primero se le atendera primero.*

## 4 Child's Primary Diagnosis/Diagnóstico Primario del Niño: \_\_\_\_\_

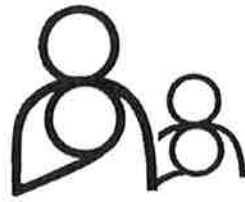
Child's Age/Edad del Niño: \_\_\_\_\_

Primary Language/Lenguaje Primario: \_\_\_\_\_

How did you hear about IEP Day?/¿Cómo oyó hablar de IEP Day? \_\_\_\_\_

**SCHOLARSHIP INFORMATION:** Some scholarships are available for this conference. Please check with your school district or organizations you are affiliated with. For a partial list of those who may provide scholarships visit [www.iepday.org](http://www.iepday.org)

**INFORMACIÓN DE LA BECA:** Hay un número limitado de becas para el congreso. Por favor pregunte a su distrito escolar o a las organizaciones que colaboran con su familia. Para una lista parcial de las agencias que le pueden proporcionar una beca, por favor visite [www.iepday.org](http://www.iepday.org)



# **Involved Exceptional Parents' Day Conference**

*Today & Tomorrow—Transitions Through Life*

**Congreso Anual #29**

**Día del Padre Involucrado Excepcional**

*Hoy y mañana—transiciones a lo largo de la vida*

## **Saturday, March 17, 2012**

**Handlery Hotel Mission Valley, San Diego CA**

**Carrie Gibson & Anthony Curry  
Keynote Speakers/Oradora Principals**



**[www.iepday.org](http://www.iepday.org)**

To Whom It May Concern:

Being married to an Occupational Therapist who works with children with disabilities, I thought I be prepared to be the mom of a child with special needs. We tend to think we can put ourselves in the shoes of others without judgment; but I was very wrong. When my second son Aidan was born with 22Q, neither I nor my husband was prepared for the emotional trauma that we experienced as parents. We knew all the places to go for resources, or so we thought, but when we began to try to manage those resources, care for our typical son, and care for ourselves, we began to unravel.

Frustrated, I asked the parent counselor at our school site for help. She suggested I try going to the Involved Exceptional Parents' (IEP) Day conference. I think she suggested it so I'd take some time for myself: a day just for me. I became very empowered at the conference. Not only did I bring home a wealth of knowledge, but I also met parents who were just as frustrated as me. Knowing that someone else was overwhelmed with the same day to day tasks like doing the laundry gave me permission to forgive myself and grieve.

Over the years, I've overcome many pre-conceived ideas and learned about many new strategies to care for both my sons. I've learned about the law, and learned how to negotiate so I don't have to invoke it. I've learned how to give the power over to my son, when he's ready, to become his own advocate.

Most important, I've made life-long friends at the IEP Day conference. One of these is cross country friend Nick Martin, whose negotiative processes have set the tone for how I choose to be part of a team. Nick recently assisted a former Area Board XIII client in finding a great school in his home state of Texas where Dad was relocated. I can thank IEP Day for that.

I sincerely hope you will help the Involved Exceptional Parents' Day Committee in providing another exceptional conference. I know it has made me a stronger parent advocate and a better mom. This is a gift I wish for every parent of a child with special needs.

Thank you,

Emily Dolton



Mom of Aidan (22Q) and Connor



## AGENDA ITEM DETAIL SHEET

**ISSUE:** SCDD Annual Program Performance Report to the Administration on Intellectual and Developmental Disabilities for fiscal year 2011-2012.

**SUMMARY:** A preliminary draft of the Council's 2011-2012 Program Performance Report (PPR) to the Administration on Intellectual and Developmental Disabilities (AIDD) is submitted to the Council for its information and comment.

**COUNCIL STRATEGIC PLAN GOALS:** N/A

**BACKGROUND:** All State Councils on Developmental Disabilities, Protection and Advocacy agencies, and University Centers for Excellence in Developmental Disabilities, in all of the states and territories, are required to report annually to the Administration on Intellectual and Developmental Disabilities (AIDD) through the annual Program Performance Report (PPR). This is a means for the AIDD to monitor states' use of the federal grant money distributed pursuant to the federal DD Act to these entities. For us, this is also a means for the Council to review their prior year's activities, and the activities of Council staff and Area Boards against the State Plan Goals and Objectives. The 2011-2012 PPR will be due on March 15.

This year the AIDD has delayed the due date of the 2011-12 PPR, pending a software upgrade and development of a final format for submitting the required information. The AIDD will announce the format of the report in late February, while the report must be submitted by March 15, five days before the next Council meeting. As such, the Council will not be able to review the final report before submittal. However, the major contents of the report, while still preliminary, are attached.

Due to the size the Council's operations, both through the headquarters' office and the 13 Area Boards, there is an extensive data gathering task to prepare the report. The Area Boards compile data over time on their activities, as they relate to the Council's State Plan goals and objectives. This information is then submitted through DDSuite, a software program utilized by AIDD for the PPRs, to the Council staff. This year, Thomas Hamlett of AB 10 staff oversaw the collection of data and provided technical support to the Area Boards when needed. Additionally, Mr. Hamlett consolidated the data into a narrative, and in the preliminary format required by AIDD for the report. The implementation activities to achieve

State Plan goals are cross referenced to the required areas of activity under the federal DD Act.

**PRIOR COUNCIL ACTIVITY:** In recent years, Council staff has submitted the PPR directly to the AIDD, without Council approval.

**ATTACHMENT:** Attached is a DRAFT of the 2011-2012 PPR. It contains the main sections related to Council activities in furtherance of the State Plan goals. These sections will comprise the vast bulk of the report. There are as yet no sections completed on expenditures of the Council's Federal Grant and dissemination of the report. This draft will receive further staff review and be modified, as necessary to fit the final format required by AIDD, which will likely be announced in late February.

**ANALYSIS/DISCUSSION:** The PPR is a report of Council activities over the prior year. The PPR's final format required by the AIDD will be announced in late February, with the report due on March 15. The Council will not meet until five days after the deadline.

While in recent years, staff submitted the PPR without Council review, we recommend Council review of this and future PPRs. With this packet, staff has provided the Council with nearly the entire report in preliminary format, including the sections documenting activities and outcomes for the State Plan goals and objectives. The draft PPR will receive further staff review after the final formats and directions are received from AIDD. The PPR will then be submitted to Executive Committee for review, prior to submission to AIDD. After submission, the final PPR will be distributed to Council

**RECOMMENDATION(S):** Staff recommends that the Council empower the Executive Committee to review and approve the final version of the 2011-2012 PPR prior to submission to AIDD.

**PREPARED:** Mark Polit, January 3, 2013



## STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

### 2011-12 Program Performance Report



# **California State Council on Developmental Disabilities**

## **2011-12 Program Performance Review to the**

### **Administration of Developmental Disabilities**

#### **SECTION I: IDENTIFICATION**

**State/Territory:** California

**Federal Fiscal Year Reporting:** October 1, 2011-September 30, 2012

**Contact person regarding PPR information:** Roberta New, Acting Executive Director

**Contact person's phone number:** 818-543-4631

**Contact persons email address:** Roberta.Newton@scdd.ca.gov

**Council is its own DSA:** No

## **SECTION II: PROGRESS REPORT**

**Goal # 1 Individuals with developmental disabilities have the information, skills, opportunities and support to advocate for their rights and services and to achieve self-determination, independence, productivity, integration and inclusion in all facets of community life.**

**Area of Emphasis Planned for the Goal: Quality Assurance**

**Strategies Planned for this goal: 1) Outreach 2) Training 3) Supporting & Educating Communities 4) Coalition Development & Citizen Participation**

**Intermediaries/Collaborators Planned for this Goal:** ☒ Disability Rights CA ☒ Centers for Excellence  
☒ DDS

**Area of Emphasis Used: 1) Quality Assurance**

**Strategies Used: 1) Outreach 2) Training 3) Interagency Collaboration & Coordination 4) Demonstration of New Approaches 5) Technical Assistance**

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- People First
- Regional Centers
- Supported Life Institute
- Independent Living Centers (ILC)
- Supported Life Institute
- United Cerebral Palsy (UCP)
- Get Safe
- Foundation for Developmental Disabilities
- Rowell Family Empowerment
- We Care A Lot Foundation;
- California State University, Chico
- Department of Rehabilitation

## Objectives

**1.1 The Council will promote the stability and expansion of a statewide self-advocacy network through financial and in-kind support, which includes ensuring that local delegates are able to participate effectively in statewide meetings and events.**

**Implementation Activities:** 1) RFP to Identify State wide network, 2) Support to local groups and 3) financial assistance for travel.

**Target Date:**

**Anticipated Target Date:** 1) Year 1: Month 1- 4 Invite grant applications, Month 5 Select grantee(s) and establish contract deliverables, Monitor grant ongoing, 2) As needed; and 3) Ongoing

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
<b>CS08 Buildings/public accommodations became accessible</b>	20		
<b>QA10 Number of entities participating in partnerships or coalitions created or sustained as a result of Council efforts.</b>			10

### Annual Progress Report:

In 2011 the Administration on Developmental Disabilities (ADD) held multi-state self-advocacy summits to hear from self-advocates to voice their concerns and ideas about building the self-advocacy movement locally, state and nationally. One of the summits was held in Los Angeles, California. Many of the attendees were from California and many had ties to the Council. One of the issues and concerns to come out that summit was that California has many active, enthusiastic and vibrant self-advocate groups but there is no statewide unifying mechanism that gives them a voice and power to get their message to the public and policymakers.

To help the California self-advocate groups organize the Council contracted with Board Resource Center (BRC) to create the organizational structure and to provide ongoing support to individual self-advocates and self-advocate groups. To this end Statewide Self-Advocacy Network (SSAN) was created to build a statewide association of self-advocates who represent regional and statewide advocacy organizations. Supported by the Council, SSAN was created to build an alliance that links California communities with statewide organizations to advance their message to the public and policymakers.

SSAN membership is made up of self-advocates from the 13 area boards, three California Centers for Excellence, Disability Rights California and Department of Developmental Services Consumer Advisory Committee. SSAN organizes individuals who rely on California's human service systems to direct efforts that lead to more Californians with disabilities exercising fundamental freedoms.

From March 2012 through the end of September 2012 BRC provided the following support to further the Council's goal of creating a statewide self-advocacy network: 1) Developed detailed SSAN information booklets in plain language for members and Area Boards to learn about the Network in three formats, for statewide distribution and posting on the council's website; 2) Developed presentation materials and provided SSAN community presentations at four Area Board regions. 3) Developed all multi-media meeting and training materials for two-day meetings; 4) created a self-advocacy resource website.

Because California is large in size and traveling for people with disabilities can be difficult SSAN has used technology to help self-advocates have greater access to meetings and communication between themselves. For SSAN meetings self-advocates have used Adobe Connect to tune into meetings remotely.

The Area Boards and Disability Rights California (DRC) have lent out rooms for self-advocates to use. Between meetings self-advocates use Google Groups to communicate amongst themselves.

The 13 Area Boards also provided support to individual and group self-advocates in their communities through facilitation, providing space for meetings and other supports.

**1.2 The Council will strengthen existing self-advocacy groups and promote establishment of new groups at the local level. At least 5 new self-advocacy groups will be developed in new geographic areas. The number of self-advocates who participate in self-advocacy activities as a result of this support will increase by 150 statewide annually.**

**Implementation Activities: 1. Outreach 2. Local in kind support 3. Outreach to identified areas of need 4. Support new groups**

**Target Date:**

**Anticipated Target Date:** 1. Ongoing outreach to existing groups to offer training, support, and technical assistance. 2. Offer meeting space, postage, mailing and other supports as needed 3. Year 1 Identify 5 regions lacking organized self-advocacy groups. Conduct outreach by phone and mail to self-advocates in areas where there is no active self-advocacy groups to identify the interest in forming such groups. 4. Year 1, 2 and ongoing (as in #1)

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
<b>QA08 People trained in leadership, self-advocacy, and self-determination.</b>	120		

**Annual Progress Report:**

During the fiscal year 2011-12 area boards made presentations and helped facilitate planning meetings at local day programs and to individuals to start 5 new self-advocacy groups. Area boards also made presentations promoting the new Statewide Self-Advocacy Network (SSAN) as well as recruiting self-advocates becoming area board representatives to SSAN.

With a grant from an area board to the Self-Advocacy Coordination Project with Supported Life Institute for program development to fund a newly formed Sacramento Asperger Self-Advocacy Group. The funds from the Program Development Fund account will support activities developing similar groups that target Autistic Spectrum Disorder (ASD) individuals as future leaders and self-advocates within the area board's ten counties catchment area.

Another area board provided ongoing technical support and facilitation to the Self- Advocates for a Better Tomorrow group. This is a creative approach to using day program support to individualize supports that are focused on strengthening local self-advocacy efforts. Three individuals meet Monday through Friday and provide outreach, mentorship and education to organizations and self-advocacy groups. In addition, these advocates have presented at the People First Conference and to the students at the College Bound program. They write letters to legislative representatives, and did voter education training at the San Diego People First meeting, as well as manned a voter registration table at the Legislative Breakfast.



**1.3The Council will help to educate self-advocates so they are better able to assert their human, service and civil rights, prevent abuse, neglect, sexual and financial exploitation and be better informed on issues that affect them. At least 1450 self-advocates will be reached annually.**

**Implementation Activities: 1. Conferences and Trainings 2. Support participation 3. Develop materials**

**Target Date:**

**Anticipated Target Date:** 1. Yearly, Sponsor/collaborate in at least 6 local, regional or statewide conferences and trainings where self-advocates have a leadership role. 2. As needed, provide travel expenses and other supports to ensure that self-advocates are able to participate in such events (within allocations) 3. As needed, develop training materials in plain language and translate into threshold languages, either by staff or through competitive bid/RFP

● Met      ● Partially Met:      ● Not Met:

Performance Measures	# People w/DD	# Families	Other
<b>QA10 Number of entities participating in partnerships or coalitions created or sustained as a result of Council efforts.</b>			50
<b>CS02 Dollars leveraged for formal/informal community supports</b>			\$14,000
<b>CS07 People trained in systems advocacy about formal/informal community supports</b>			4,000

**Annual Progress Report:**

Through council grants, in-kind support and conference scholarships the area boards were able to support self-advocates and their organizations in holding 12 conferences with 2200 self-advocates and their families attending.

An area board collaborated with the "We Care A Lot Foundation" and People First- Region 2 to organize and put on a Leadership Retreat. The goal of the retreat is to teach self-advocates how to be a better leader, network with other leaders, strengthen self-advocacy efforts and establish new goals for their community.

Area boards also made presentations to self-advocacy groups and attended resource fairs across the state to talk about the new Statewide Self-Advocate Network and other topics such as leadership training, advocating with your elected officials, voting, Anti-bullying, state budget cuts, History of Self-Advocacy and Inclusion, and how to start a new self-advocacy chapter. More than 800 self-advocates were given training.

Another area board supported and facilitated self-advocate peer training teams that went out to give presentations to day programs and self-advocate groups. Topics included: abuse prevention, drug and alcohol issues, voting and healthy hygiene. 544 self-advocates were trained at more than 10 presentations and a voting fair attended by more than 200 people with developmental disabilities.

An area board helped facilitate 25 self-advocates to participate in the East County Gavel Club (an affiliate of the Toastmasters International) annual Humorous Speech contest. The local People First self-advocacy group also hosted the Gavel Club for their annual self-advocacy speech contest.



**1.4 Council will collaborate with, promote and support the efforts of cross disability and youth disability organizations to expand and strengthen their leadership network**

**Implementation Activities:** 1. Request for Proposals 2. Identify 5 areas for Outreach 3. Disseminate materials

**Target Date:**

**Anticipated Target Date:** 1. Yearly, provide financial and/or in-kind support to one or two cross disability or youth disability organizations through grant process. a) First 3 months call for proposals b) month 4 identify recipients c) month 5-6 contract with successful applicant(s)  
2. Yearly, identify at least 5 local areas to conduct outreach to school districts and others to invite their participation in youth self-advocacy training.  
3. Identify and disseminate materials that promote youth self-advocacy

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
<b>QA08 People trained in leadership, self-advocacy, and self-determination.</b>	20		
<b>QA10 Number of entities participating in partnerships or coalitions created or sustained as a result of Council efforts.</b>			5
<b>CC01 Public policymakers educated by Council about issues related to Council initiatives</b>			5
<b>CS01 Individuals receive formal/informal community supports</b>			1

**Annual Progress Report:**

One of the strengths of the Council is the ability of the area boards to work with, support and collaborate with the many private non-profit, providers, self-advocacy groups and governmental entities to improve and enhance the lives of people with disabilities. To teach people with disabilities about their rights, how to become self-advocates, becoming leaders. To that end the council is trying to reach the next generation of self-advocates through presentations at schools and colleges.

The Council through a Cycle 34 grant provided funding for 10 students with developmental disabilities to participate in the California Youth Leadership Forum for Students with Disabilities (YLF). YLF is a cross disability forum where students with disabilities from across the state come to the State capitol in Sacramento for a week long learning experience. Students stay in the dorms at California St. University, Sacramento. Students learn about becoming a leader and the legislative process. Students learn public speaking and also meet with legislators and their staff.

An area board formed the Disability Advocacy Network (DAN) that included agencies that serve and support cross disabilities. Purpose of coalition is to support and collaborate with people with disabilities and agencies representing people with disabilities to play a vital role in all aspects of organizing locally and to advocate through educational and consumer-driven community events and advocate for disability issues at local and state level to legislators and the general community. Members of DAN attended Capital Disability Action Day in Sacramento, 200 self-advocates and agency professionals attended meeting with 5 Legislators from their districts.

**1.5 Individuals with developmental disabilities are supported and trained to become effective trainers of other individuals with developmental disabilities who may become leaders**

**Implementation Activities:** 1. Identify participants 2. Curriculum development 3. Trainings

**Target Date:**

**Anticipated Target Date:** 1. Year 1, identify a cadre of self-advocate leaders to become trainers of other self-advocates  
2. Year 2, develop curriculum with this leadership team 3. Years 3 to 5, Sponsor regional and state self-advocacy leadership trainings throughout the state

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
<b>QA08 People trained in leadership, self-advocacy, and self-determination.</b>			1220
<b>QA10 Number of entities participating in partnerships or coalitions created or sustained as a result of Council efforts.</b>			1

**Annual Progress Report:**

The Council through area board efforts have conducted countless presentations and training, have facilitated many self-advocates and self-advocate organizations across the state to increase the number and quality of self-advocate leaders statewide.

With funding provided through an area board grant awarded to the ALIVE Consumer Action Committee, the group formed a training and consultation business called Project SEED. Although the ALIVE CAC and Project SEED are affiliated groups that share membership and the same goals, Project SEED's mission lies in the meaning of its name - Seeking Equality through Education and Demonstration. Basically where the ALIVE CAC seeks equality through focusing on public policy, legislative outreach, and activism; Project SEED seeks the same through training and consultation services. SEED conducted more than 15 presentations or training to more than 800 people.

Area board staff participated in the We Care A Lot Foundation's Self-Advocate Leadership Conference. Area board staff across the state made presentations and held trainings on self-advocacy and leadership.

**Goal #2 Individuals with developmental disabilities and their families become aware of their rights and receive the supports and services they are entitled to by law across the lifespan, including early intervention, transition into school, education, transition to adult life, adult services and supports, and senior services and supports.**

**Area of Emphasis Planned for the Goal:** 1) Quality Assurance 2) Education 3) Community Supports 4) Employment 5) Health

**Strategies Planned for this goal:** 1) Training 2) Technical Assistance 3) Supporting & Educating Communities 4) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Planned for this Goal:** ☒ Disability Rights CA ☒ Centers for Excellence  
☒ DDS

**Area of Emphasis Used:** 1) Education 2) Community Supports 3) Housing 4) Health 5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities 5) Interagency Collaboration & Coordination 6) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- Arc of California
- North Bay Organizing Project
- County Child & Family Services
- County Public Health
- California St. University
- Family Resource Network
- Downs syndrome Association
- Office of Clients Rights Advocacy
- Regional Center
- Task
- Local public health dept.
- School Districts
- Community college
- Calif. Dept. of Education
- Center for Independent Living (ILC)
- Special Education Local Plan Area (SELPA)
- U.S. Dept. of Education
- YMCA
- County Coordinating Councils
- County Office on Education
- Families First Commission
- Independent Living Center
- University of California Irvine Medical School
- Goodwill

## Objectives

**2.1 On an annual basis, the Council will provide advocacy regarding education, early intervention, community-based services and other services and supports to at least 1,700 individuals and/or families, at least 100 of whom are non-English speaking or limited English proficiency.**

**Implementation Activities:** 1. Outreach 2. Information, advocacy, technical assistance

**Target Date:**

**Anticipated Target Date:** 1. On an ongoing basis, families and individuals become aware of available assistance from local offices (area boards) through outreach activities and word of mouth. 2. Local offices (area boards) provide assistance that may include systems navigation, technical assistance, information, attendance at meetings (IPP, IEP, IFSP, assessment etc.) and assistance with due process as appropriate. Ongoing, within available resources

● Met      ● Partially Met:      ● Not Met:

Performance Measures	# People w/DD	# Families	Other
ED01 Students have the education and support they need to reach their educational goals through Council efforts	1442		
ED12 Parents trained regarding their child's educational rights		1430	
CS05 People trained in formal/informal community supports			2334
ED08 Schools improved IEP practices			4

**Annual Progress Report:**

The greatest strength of the Council is the thirteen local area boards who work collaboratively in the community to implement the Council's State Strategic Plan Educational and Community Supports objectives through individualized advocacy.

Area boards worked throughout the last fiscal year to assist people with developmental disabilities and their families to navigate the K through 12 school system, transition to post-secondary education or career paths as well as in all aspects of local community life. Area boards helped to find opportunities to participate in meaningful service and volunteer opportunities, and learning to access assistive technology.

The area boards assisted 3500 people during the fiscal year by providing individual & family advocacy through information and referral for a variety of topics including: regional center services; health; housing; transportation; In-Home-Support-Services (IHSS); Social Security; employment; conservatorship; and respite.

Council staff also attended more than 20 fair hearing appeals for Individual Program Plans (IPP) with the 21 regional centers, 400 Individual Educational Plans (IEP) with school districts, Individual Service Plans (ISP) with service providers, IHSS appeals hearings, and mediations.

Through Council efforts several school districts improved their IEP processes. After area board staff assisted a Spanish speaking family receive all IEP related materials in their first language, Spanish, the school district started providing material in Spanish upon request.

An area board working with a family who has two sons with DOOR Syndrome collaborated their regional center to nominate the family through Make-A-Wish Foundation. Make-A-Wish Foundation presented each child with an I-Pad package to assist them with their daily activities. This gift has greatly improved the quality of life for these children.

DOOR Syndrome is an extremely rare inherited disorder whose acronym stand for characteristic abnormalities associated with (D)eaafness; (O)nychodystrophy, malformation of the nails; (O) steodystrophy, abnormalities of certain bones; and mental (R)etardation.

**2.2 Individuals with developmental disabilities, their families and their support and/or professional staff will increase their knowledge and skills so as to effectively access needed educational and/or community-based services through at least 50 trainings, conferences, workshops, webinars, and/or resource materials developed by the Council on topics such as rights under IDEA, rights under California's Lanterman Act annually.**

**Implementation Activities:** 1. Trainings 2. Identify materials and Translate into threshold languages

**Target Date:**

**Anticipated Target Date:** 1. On an ongoing basis, offer or co-sponsor or publicize trainings for families at the local level which address educational issues and/or how to access and retain community-based services in collaboration with federal partners and others.

2. On an ongoing basis, identify the most effective materials, as determined by participant evaluation, and disseminate widely using the web and other means. Translate into threshold languages as appropriate.

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
ED01 Students have the education and support they need to reach their educational goals through Council efforts	24		
ED08 Schools improved IEP practices			4
ED11 People active in systems advocacy about inclusive education			1
ED12 Parents trained regarding their child's educational rights		1100	
CS01 Individuals receive formal/informal community supports	824		
CS05 People trained in formal/informal community supports			3109
CS09 Other			94
RE01 People active in recreational activities through Council efforts	35		
TR07 People trained in systems advocacy about transportation			34
CC01 Public policymakers educated by Council about issues related to Council initiatives			72
CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.			200

**Annual Progress Report:**

Because of the vast size and diversity of California the Council has thirteen local area boards who work collaboratively in the community to implement the Council's State Strategic Plan Educational and Community Supports objectives through local activities and projects in partnership with local organizations.

Area boards conducted 87 presentations, trainings, webinars, held conferences and resource fairs during the last fiscal year to provide information to more than 4000 people with developmental disabilities, their families, care providers and other professionals. Major topics included health, housing, transportation, In-Home-Support-Services (IHSS), Social Security, employment, Individual Program Plans (IPP) concerning regional centers, Individual Educational Plans (IEP) with school districts and Individual Service Plans (ISP) with service providers.

Several events were conducted entirely in Spanish or with Spanish translators. One educational presentation presented in Spanish was, "Preparando por el IEP". Two particularly successful events were Congreso Familiar and Fiesta Educativa conference. The Fiesta Educativa is a conference designed to educate and empower parents to be more active in their child's life and to become leaders and or mentors for others.

Specific presentations included:

- "Journey To Adulthood Training"
- "Evaluations: How to Understand Them & Get Services for Your Child"
- "Introduction to Coordinated Transportation"
- Bullying
- Public Benefit Training
- "Advocating for Children Services in Schools"
- "IEP Meetings - How they Work & How to Get What You Need" Part I & II
- "Special Education – You Can Do It" Part I & II
- "Successful Inclusion Strategies"

One successful event was the collaboration on the planning for **Exceptional Parents Day (IEP Day)**. IEP Day is a one day conference for parents who have a child in special education and professionals who work with them. The day starts with a resource fair with non-profit and for profit organizations. There is a keynote speaker and 15 workshops on topics such as: Early Start, transition planning, the IEP process, assistive technology, person-centered planning, dealing with behavior issues and a strand of workshops in Spanish. IEP Day provides parents a place for networking with other parents and professionals as well as opportunities to learn how to advocate for their child's service needs.

Provided training to 72 judges from the juvenile justice system, social workers, probation officers and advocates regarding California Senate Bill 368 at University of San Diego Law School. This bill would authorize the court to limit the right of a parent or guardian to make decisions about developmental services and to appoint a responsible adult, or to make itself, those decisions, as specified.

In the area of transportation an area board provided training, "An Introduction to Coordinated Transportation" to private transportation companies, city transit services, and social service agencies that already have a transportation component, to introduce the concept of coordinated transportation. The purpose was to get agencies thinking about the benefits of coordinating (efficiency, sharing vehicles/drivers, cost savings, etc.) and to encourage them to apply for the federal New Freedom and Job Access and Reverse Commute (JARC) funds administered by MTA. These funding sources promote innovative service models that go beyond what is required by the ADA (New Freedom) or help people to get to and from work (JARC). One of the attendees applied for and was granted a \$500,000 grant by MTA.

Team of Special Advocates for Kids (TASK) APPS for ALL program developed 4 workshops, which educated 1,015 parents, consumers, and professionals, on iDevices and applications for use with persons with special needs. Through individualized lab appointments, TASK was able to help parents, children, consumers and professionals with their specific applications. Family members, children or consumers and professionals attended individualized hands on lab appointments to learn about iDevices and/or specialized applications.

In reviewing post presentation surveys the majority of attendees rated the presentations to be "Excellent" or "Good", "Strongly Agree" or "Agree" to questions such as: "The presentation was important", "The speakers were clear and easily understood", "I learned something new from this program". In one pre and post survey on the IEP process attendees rated themselves as more knowledgeable on the pre-survey than the post survey.



**2.3 The Council will participate in cross-training, outreach, resource fairs and other forms of collaboration with a minimum of 25 local schools, Special Education Local Plan Areas (SELPA), Community Advisory Committee (CAC)s, Family Resource Centers, provider organizations and others in order to improve outcomes for youth and adults with developmental disabilities.**

**Implementation Activities:** 1. Outreach 2. Collaboration

**Target Date:**

**Anticipated Target Date:** 1. At least annually, publicize (via web, email alert, mailing) availability to participate in local and statewide informational activities. 2. Ongoing, engage in enhanced outreach to underserved communities, including those whose primary language is not English. a) Identify/network with organizations/coalitions that target underserved communities b) Participate in events that target these communities

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
<b>CS01 Individuals receive formal/informal community supports</b>	12		
<b>CS04 People facilitated formal/informal community supports</b>			24
<b>CS05 People trained in formal/informal community supports</b>			287
<b>CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.</b>			4219

**Annual Progress Report:**

In California there are almost a thousand school districts, more than 100 Special Education Local Area Plans (SELPA), close to 50 Family Resource Centers, and hundreds of provider and non-profit organizations that provides education and training to people with developmental disabilities, their families and people that help them. The Council through the efforts of the thirteen local area board offices supports and collaborates with many of these local organizations. This support and collaboration resulted in hosting or attending more than 30 resource fairs, Disability Awareness Days, conferences, trainings, webinars, and participation on advisory committees.

Some of the collaborations that the Council participated in through area board efforts include:

Technical and clerical support was provided to the Supported Life Institute in holding the 25th annual Supported Life Conference. More than 375 individuals attended the 2 day conference. An area board conducted 4 trainings to parents of individuals with developmental disabilities at the conference. The same area board provided support to the Supported Life Institute for the 17th Annual Statewide Self-Advocacy Conference where 345 individuals attended the 2 day conference.

An area board facilitated the pairing of children and their families with medical students for a 2-year commitment to UCI's Medical School's PALS Program. Medical students are educated by families, area board, and medical school curriculum: Children with developmental disabilities and their families are provided with additional, on-going social and community activities.

Through a grant, Goodwill-ATEC' AAC (Augmentative & Alternative Communication) Mentoring Program, developed a highly successful pilot program to train 16 adult AAC users to mentor 15 child AAC users. Mentors, mentees, families, and professionals collaborated to provide opportunities for enhanced social engagement, communication ability, independence, and community participation and integration

Another area board participated on an advisory committee for the Si Ninos/Yes Kids project funded by the



"Imperial County Children and Families First Commission. The goal is for the project to provide support to families that have children 0-5 with special healthcare needs through family resource support and training opportunities.

One area board is active member of the Orange County Assistive Technology Institute (ATI) Task Force, a collaborative. This year, ABXI participated again in the annual ATI Conference, presenting "Funding Sources for Assistive Technology"

Another area board participated on the Butte County Coordinating Council's 16th Annual Recognition Celebration Committee. The event honors those who have truly made a difference in the lives of people with a developmental disability, supported and co-sponsored 7th Annual Far Northern Regional Center's FOCUS Film Festival and Short Film Competition focusing on disability issues and exploring the complexities of the human experience, providing education and awareness to general public. More that 800 people attended films such as "Crazy Sexy Cancer", "For Once In My Life", and Not So Still Life, the Ginny Ruffner story".

**2.4 The Council will collaborate with federal developmental disability partners and other key stakeholders to protect the rights of residents in Developmental Centers and other large facilities. The Council will be involved in the planning and implementation of any closure process of a Developmental Center.**

**Implementation Activities:** 1. Report violations 2. Participate in closure process 3. Advocacy

**Target Date:**

**Anticipated Target Date:** 1. On an ongoing basis, identify and alert authorities regarding violations of rights of residents in State institutions through the Client Rights and Volunteer Advocacy projects. Work with the P&A System on issues identified by either party or others. 2. Participate in process for planning and implementing the closure of Lanterman Developmental Center within the next five years. 3. As needed, provide individual advocacy to ensure that residents are afforded appropriate and high quality

● Met      ● Partially Met:      ● Not Met:

Performance Measures	# People w/DD	# Families	Other
CS04 People facilitated formal/informal community supports	1000		
CS07 People trained in systems advocacy about formal/informal community supports			800
HO02 People moved from congregate settings to homes in the community	34		

**Annual Progress Report:**

California has four developmental centers (DC) and one smaller state-run facility housing a combined total of over 1600 residents. One developmental center, Porterville has a forensic unit. Through two contracts with the Department of Developmental Services (DDS) the Council provides Client's Rights Advocates (CRA) and a program of volunteer advocates (VAS) at each facility.

### **Clients Rights Advocate Project**

The Clients' Rights Advocate provides advocacy services to protect and assert the rights of those living at the developmental centers. The CRAs provided over a 1000 advocacy services some of the advocacy services included: 1) attending Individual Program Plans (IPP), Transition Support and Review meetings, 2) investigating alleged clients rights violations and abuse allegations, attends denial of rights meetings and approves/reviews denial of rights requests, 3) consulting with residents, their families, ID team, staff, deputy public defenders and regional center (RC) staff on rights issues, 4) providing training to the county public defender's office, district attorney and superior court on consumer's rights, and 5) providing training to residents and staff on consumer rights and self-advocacy. More than 30 self-advocacy trainings were held and attended by more than 800 residents and staff. The CRAs also sits on the Behavior Supports, Human Rights, Incident Review and Bioethics committees at the DCs.

Due to the impending closure of Lanterman Developmental Center (LDC), the CRA has been involved in an increasing number of transition-related meetings. The Transition Planning Meeting identifies the client preferences and individualized services needed to facilitate a positive transition into the identified community setting.

Some issues that have been identified by the CRAs at the DCs include: 1) In residence to community placement meetings staff make generalizations that residents are being "forced out, against their will". It has been reported that staff will interfere in the transition by making inappropriate comments to the family in an attempt to disrupt the community placement, 2) as residents age their medical needs often change and

require a higher level of care or supervision. If the DC cannot provide adequate medical care they may be transferred to a local community hospital and then to a sub-acute facility where they will no longer have the Lanterman Regional Project (LRP) transition team follow-up and support, 3) the state's budget cuts have impacted resident care negatively. DC units have been consolidated as well as multiple changes with resident placement. In one incident individuals with autism were moved to a unit with residents who do not have autism, but display behavioral challenges making for an extremely loud and volatile environment interfering with their everyday routines.

### **Volunteer Advocacy Services Project**

The Advocacy Services Project at the DCs provides volunteer advocates (VA) services to residents who are not conserved and are without family involvement. Each DC has a coordinator who coordinates the activities of the VAs. All VAs receive a flat \$50 per resident monthly stipend. They dedicate at least three hours per month per resident served.

Advocates attend IPPs, special team meetings and assist residents regarding their rights, services and choice options. They assist residents with speaking to staff, writing letters, making phone calls and sending e-mails. They attend pre-transition and court preparation meetings and video court with their resident. The coordinator and VAs also facilitate 16 self-advocacy groups at the DCs.

Approximately 50 VAs are currently serving almost 400 residents and more than 500 residents have received services during the fiscal reporting period. VAs average about 3 contacts per residents in each month and have attended 1100 meetings. VAs also makes visits to residents who have been hospitalized in the community. Each VA goes through initial training and on-going trainings.

Volunteer advocates have expressed that they are volunteering their time to gain experience in the area of developmental disabilities. Several students have expressed appreciation for exposure and direct experience with individuals with developmental disabilities. It has been recommended that collaboration with local colleges and universities be explored that might include college credit.

Issues at the DCs that have been identified by the coordinators and VAs include: 1) doctors who do not give reasons for not following team recommendations and not attending team meetings, 2) many of the interdisciplinary team members seem unfamiliar with community resources and services when discussing placement issues, 3) as noted earlier with the consolidation of DC units staffing is becoming more inconsistent and residents are not receiving adequate programming, and 4) one DC has trouble recruiting volunteers because it is not close to urban areas.

### **Other Council Activity**

In response to DC staff's use of a Taser gun on 12 residents of Sonoma Developmental Center (SDC), an area board joined with The Arc of California and the North Bay Organizing Project in several actions: 1) a meeting with the District Attorney for Sonoma County to demand an independent investigation into the tasing abuse of 12 residents of SDC; 2) a rally at the steps of the state capitol in support of three legislative bills aimed at improving reporting of abuse and protection; 3) a press conference outside superior court in Santa Rosa to again pressure the DA and sheriff's office to investigate and pursue justice for the residents who were tasered. Area board representatives spoke at all three events. The last two events were broadcast on TV.

Area boards collaborated with regional centers in the development of new homes and day programs to serve the needs of individuals coming out of/ or at risk of placement into state developmental centers (DC)

through the Community Placement Plan (CPP). More than 45 CPPs were reviewed over 20 proposals and interviewed 18 potential service providers before awarding contracts to those selected. During the year at least 34 individuals were either deflected from institutional placement or made the transition from DC to community living.

**Goal #3 Individuals with developmental disabilities and their families express the degree to which they are satisfied with their services and the extent to which they feel their needs are being met.**

**Area of Emphasis Planned for the Goal: 1) Quality Assurance**

**Strategies Planned for this goal: 1) System Design & Redesign**

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☒ DDS

**Area of Emphasis Used: 1) Quality Assurance 2) Choose an item. 3) Choose an item. 4) Choose an item. 5) Choose an item.**

**Strategies Used: 1) System Design & Redesign 2) Training 3) Interagency Collaboration & Coordination**

**Intermediaries/Collaborators Used for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☒ DDS

**Others:**

## Objectives

**3.1 The Council will implement the Quality Assurance Program, in accordance with the requirements of the Council's contract with the Department of Developmental Services and participate in analyses of its findings and implications for system improvement.**

**Implementation Activities:** 1. Face to face interviews 2. Written surveys

**Target Date:**

**Anticipated Target Date:** 1. Years 1, 3 and 5, conduct face to face interviews with at least 8400 individuals with developmental disabilities based on National Core Indicators 2. Years 2 and 4 distribute and input responses to a written survey of at least 6900 family members from a randomized sample.

● Met      ● Partially Met:      ● Not Met:

Performance Measures	# People w/DD	# Families	Other
QA01 People benefiting from quality assurance efforts of the Council	7317		
QA02 Dollars leveraged for quality assurance programs			
QA05 People trained in quality assurance			220

**Annual Progress Report:**

The Council contracted with California Department of Developmental Services (DDS) to conduct National Core Indicators (NCI) program surveys with people with developmental disabilities who receive services from the State to gauge how they felt about the quality of their lives and services. The NCI is a collaborative effort between National Association of State Directors of Developmental Disabilities Services (NASDDDS) and the Human Services Research Institute (HSRI). It is currently being used by 20 plus states. Each state normally collects approximately 400 completed surveys. California conducts 400 completed surveys per the 21 regional centers for a total of 8400.

The DDS contracted with the Council to conduct three NCI Surveys, **Adult Consumer**, The **Adult Family** and the **Family Guardian** over a three period using the independent contractors supervised by the area boards.

The **Adult Consumer Survey** is a face to face interview with adults with developmental disabilities, their families and care providers. The two other surveys are mail surveys that attempts to gather information from families and/or guardians with adult children with developmental disabilities who receive State services.

The area boards recruited and trained the independent contractors who conducted the surveys. New contractors, who were not part of the 2010 survey cycle, were given a three hour presentation that went over the NCI tool, interviewing skills, review of the developmental disability delivery system in California, and how to input survey data via the web based program ODESA. Those contractors who had previously conducted surveys reviewed a webinar. Contractors were given the option of using a computer netbook with Wi-Fi that allowed for real time input or using pencil and paper survey with data to be input at a later time.

The Area Boards conducted reliability calls to survey participants to gauge their experience with the interview process. The Area Boards were required to obtain at least 10 reliability calls from each regional center. Also an outside consultant was retained to conduct shadow interviews. This person would follow an Area Board independent contractor to an interview, with the consumer's consent and observe.

During the Federal fiscal year 2011-12 the Council through the Area Boards conducted 7317 face to face Adult Consumer surveys using 220 independent contractors. The Council did meet its objective of 8400 surveys as the project commenced in July 2011 and ended June 2012. The data was collected and input into ODESA. HSRI is contracted to analyze the data collected and provide a report to DDS.

**3.2 On a statewide and local level, the Council will advocate and promote innovation in service delivery including but not limited to self-determination.**

**Implementation Activities:** 1. Information and Education 2. Systems advocacy

**Target Date:**

**Anticipated Target Date:** 1. On an ongoing basis, include information about innovative concepts/programs in presentations to parent and self-advocacy groups. 2. As appropriate, promote self-determination, vouchers and other family-friendly initiatives as a prospective solution to budget shortfalls. Participate in workgroups/task forces focused on system reform

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
Choose an item.			

**Annual Progress Report:**

**Nothing to report in 2011-12**

**Goal #4** Public safety agencies, other first responders and the justice system get information and assistance to be knowledgeable and aware of the needs of individuals with developmental disabilities so they can respond appropriately when individuals with developmental disabilities may have experienced abuse, neglect, sexual or financial exploitation or violation of legal or human rights.

**Area of Emphasis Planned for the Goal:** 1) Quality Assurance 2) Community Supports

**Strategies Planned for this goal:** 1) Outreach 2) Training 3) Technical Assistance 4) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Planned for this Goal:** ☒ Disability Rights CA ☒ Centers for Excellence  
☒ DDS

**Area of Emphasis Used:** 1) Community Supports 2) Health 3) Choose an item. 4) Choose an item. 5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities 5) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Used for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- Local Police Department
- Sheriff Department
- Health Department
- County Emergency Services
- Regional Center
- Easter Seals ACE-IT III
- Get Safe
- School District
- Consortium of Special Education
- College Bound program



## Objectives

**4.1 The Council will maintain or develop collaborative relationships with local law enforcement agencies and others to improve the awareness and education of public safety personnel and the justice system on the unique needs of individuals with developmental disabilities.**

**Implementation Activities:** 1. Outreach to law enforcement/others 2. Needs assessment in 2 areas 3. Develop/publicize materials

**Target Date:**

**Anticipated Target Date:** 1. At least yearly in at least 2 areas, conduct outreach to local law enforcement and others in the justice system to identify interest and opportunities for trainings, technical assistance etc. 2. Every year, in at least 2 local areas, Identify need, disseminate existing resources, 3. Year 3 to 5, based on needs assessment above, may utilize a grant to develop new educational materials as necessary. Disseminate such materials and other appropriate material in a subsequent year.

● Met      ● Partially Met:      ● Not Met:

Performance Measures	# People w/DD	# Families	Other
CS05 People trained in formal/informal community supports			53

**Annual Progress Report:**

Interactions between people with developmental disabilities and law enforcement officers or paramedics can have tragic results when first responders are unaware of how to properly deal with the special needs of people with developmental disabilities. The council through the area boards has provided trainings to law enforcement, County Sheriff departments, local police and paramedics so that they are aware of the needs of people with developmental disabilities and the resources that may assist them.

One area board facilitated showing Dennis Debbaut's "Roll Call" police/autism video to the Shasta County Sheriff's Department. The video helps educate and increases the awareness of the needs of people with developmental disabilities and resources in the local community.

Another area board is an active member of a regional center criminal justice task force. Task force members share and collaborate on individual cases and systemic issues impacting regional center consumers, with input from local law enforcement, as needed.



**Goal #5 Individuals with developmental disabilities and their families get the information to be prepared for emergencies.**

**Area of Emphasis Planned for the Goal:** 1) Quality Assurance

**Strategies Planned for this goal:** 1) Training 2) Interagency Collaboration & Coordination

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Community Supports 2) Quality Assurance 3) Choose an item. 4) Choose an item.  
5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Interagency Collaboration & Coordination 5) Choose an item.

**Intermediaries/Collaborators Used for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- People First
- Police departments

## Objectives

**5.1 At least 300 individuals and families will be prepared in case of an emergency through the efforts of the Council in collaboration with others.**

**Implementation Activities:** 1. Collaboration and Trainings 2. Resource adaptation 3. Outreach

**Target Date:**

**Anticipated Target Date:** 1. Collaborate with emergency preparedness organizations and other local disability organizations in at least one region of the state annually to bring trainings to individuals with developmental disabilities and their families on preparedness.  
2. Utilize and/or adapt available resources as needed. 3. At least yearly, participate in a local or statewide emergency preparedness fairs.

● **Met**      ● **Partially Met:**      ● **Not Met:**

Performance Measures	# People w/DD	# Families	Other
<b>CS01 Individuals receive formal/informal community supports</b>	450		
<b>CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.</b>			430
<b>CS05 People trained in formal/informal community supports</b>			400

**Annual Progress Report:**

For people with disabilities surviving a disaster can be just the beginning of their struggle. In a disaster, what was once an accessible environment can now be a very inaccessible environment for people with disabilities. People with vision and hearing impairments will have more communication barriers. People will have reduced access to needed equipment and/or medicines. As speaker at a FEMA conference once said, "In a flood, when the raft comes to your door to rescue you, where do you put the power wheelchair?"

People with disabilities need to prepare themselves in the event of an emergency. California has numerous threats – earthquakes, wildfires and flooding. The Council through the area boards has been working to train and prepare people with disabilities what to do in an emergency. They have also been working with local and state entities to ensure that people with disabilities are included in the emergency planning process.

The "Feeling Safe Being Safe" program was presented to local self-advocate chapters throughout the state. Attendees received information and training about how to be prepared and how to put together emergency back packs. Individuals also signed up for and were issued "In Case of Emergency" (ICE) cards with their photo and other contact or information that would be helpful to First or Emergency responders. Area Boards also participated in numerous emergency preparedness fairs.

Area Boards Informed and publicized information about the First National Test of the National Emergency Alert Broadcasting System and Dial 211 for Services and Help (local human service resources and information).

**Goal #6 Young adults with developmental disabilities and their families get the information and support to be prepared for and experience a successful transition to adult life.**

**Area of Emphasis Planned for the Goal:** 1) Quality Assurance 2) Education

**Strategies Planned for this goal:** 1) Training 2) Interagency Collaboration & Coordination 3) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Education 2) Quality Assurance 3) Choose an item. 4) Choose an item. 5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities 5) Coalition Development & Citizen Participation 6) Interagency Collaboration & Coordination

**Intermediaries/Collaborators Used for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

- Others:
- Office of Education;
- Department of Rehabilitation;
- Regional Center;
- Alliance of Service Providers
- School district
- SELPA
- Rowell Family Empowerment
- Community College
- East Bay Innovations
- Alta Costa Center' Bay Area Outreach and Recreation Program (BORP)
- Disability Rights Education and Defense Fund (DREDF)
- WorkLink
- Interwork Institute
- Disability Help Center
- Parks and Recreation
- Social Security

## Objectives

**6.1 Students with developmental disabilities and their families will receive information, advocacy and support during transition to adult life.**

**Implementation Activities:** 1. Advocacy and individual support 2. Trainings, conferences workshops

**Target Date:**

**Anticipated Target Date:** 1. On an as needed basis and based on available resources, provide local support at transition IEP meetings.

2. Collaborate with local schools, SELPAs, parent and self-advocacy groups and others to present information about adult options and the transition process at a minimum of 20 conferences, workshops, or training events on a yearly basis.

● Met

● Partially Met:

● Not Met:

**Annual Progress Report:**

Moving from high school to college or work is an important time in young people's lives. Students with developmental disabilities and their families struggle with the many decisions that need to be made, finding whom to turn to for advice and finding the resources needed to make those decisions. The Council has made transition for youth with developmental disabilities a high priority.

Area boards worked collaboratively with school districts, regional centers, Department of Rehabilitation, community colleges and others to find ways to give youths with developmental disabilities and their families the tools and resources to navigate through this difficult time by holding resource fairs, making presentations, distributing materials and helped students learn about college through tours and helping with registering for classes.

One area board formed Shasta County Transition Partnership (SCTP) to improve and promote collaboration and communication among local transition partners (organizations, agencies, employers, and educational systems) with youth and families to strengthen transitions. SCTP assisted the California Transition Alliance, County Office of Education, and CalSTAT to organize the Regional Transition Institute- "Building a Community of Practice" where 150 educators, administrators, transition supporting professionals and families attended.

Through an area board grant a transition training series "Ramping Up for Independence" was created with 6 sessions with topics: 1) "Dreaming Big and Getting Practical: How to navigate work, housing, relationships, college, and fun after high school."; 2) "Making Work Work: Taking a close look at the range of employment possibilities."; 3) "It's Your Move: Exploring housing and living support options. 4) "Searching for Relationships: Making connections that matter"; 5) "Considering College: Learning what's available and how to get it."; and 6) "Recipes for Recreation: Expanding your repertoire for fun."

An area board collaborated with the Alameda County Developmental Disabilities Council, RCEB, College of Alameda, the public health department and local school districts to put on a transition fair. The event is designed to facilitate the successful transition from school to adult services for youth with developmental disabilities ages 14-22. The event hosted numerous educational workshops to familiarize students with developmental disabilities transitioning from adolescence to adulthood with service providers within Alameda County. 200 individuals and families attended.

One Area Board serves as a community worksite for the work based learning component of WorkAbility I (WAI) which is a model transition program for youth with disabilities offered through the California Department of Education. (Link to more detailed program info: <http://www.cde.ca.gov/sp/se/sr/wrkabtyl.asp> )

The work based learning component includes activities that involve actual work site learning experiences including: job/career awareness and preparation, work readiness skills and career-related technical skills.

The Area Board works with students to develop awareness of work experience which addresses job interview, areas of duties to be performed, appropriate attire, work place rules, applying academic skills, social skills, life skills and problem-solving and creative thinking skills. Students perform duties comparable to the California State Personnel Board Specification for an Assistant Clerk.

After completion of their tenure in the office, the area board provides a letter of recommendation to the student which can be presented to potential employers highlighting demonstrated knowledge, skills and abilities.

Performance Measures	# People w/DD	# Families	Other
ED01 Students have the education and support they need to reach their educational goals through Council efforts	87		
CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.			100
CS05 People trained in formal/informal community supports			1660
QA10 Number of entities participating in partnerships or coalitions created or sustained as a result of Council efforts.			25
CS02 Dollars leveraged for formal/informal community supports			\$3750



**Goal #7 Children birth to 3 who are at risk of, or have, a developmental delay and their families receive the early intervention services they need to achieve their potential.**

**Area of Emphasis Planned for the Goal:** 1) Quality Assurance 2) Education

**Strategies Planned for this goal:** 1) Training 2) Technical Assistance

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Education 2) Quality Assurance 3) Health 4) Choose an item. 5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities  
5) Choose an item.

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☒ Centers for Excellence  
☐ DDS

**Others:**

- Orland Human Resource Agency
- Rowell Family Empowerment
- Family Resource Centers
- Parents Helping Parents
- Regional Center
- County offices of Education
- Children's Interagency Coordinating Council (CICC)
- UC Davis Extension

- County Local Child Care Planning Council
- The Arc
- Kaiser Permanente
- WIC

## Objectives

**7.1 Parents of young children and professionals who work with them will learn to navigate the service system and understand their rights through trainings and materials presented by the Council.**

**Implementation Activities:** 1. Education and Training

**Target Date:**

**Anticipated Target Date:** 1. At least 5 trainings will be provided annually in collaboration with local Family Resource Centers and others

● Met      ● Partially Met:      ● Not Met:

Performance Measures	# People w/DD	# Families	Other
ED12 Parents trained regarding their child's educational rights		180	

**Annual Progress Report:**

The Council through area board efforts made presentations, conducted trainings and provided individual advocacy to families of young children with developmental disabilities about their rights and responsibilities. Topics included:

- "Let's Play! Let's Move! Let's Talk" free seminars for parents of children under 3 to 20 families
- "Evaluations: How to Understand Them & Get Services for Your Child"

**7.2 Families of young children who experience barriers to accessing early intervention services and child welfare workers, medical personnel and others who serve them will receive technical assistance, information and advocacy through the Council in partnership with Family Resource Centers and others.**

**Implementation Activities:** 1. Information, Advocacy and support

**Target Date:**

**Anticipated Target Date:** 1. On an ongoing basis, respond to advocacy requests from parents, child welfare workers, family resources centers and others and will provide information, technical assistance, support and direct advocacy as appropriate.

● Met      ● Partially Met:      ● Not Met:

**Annual Progress Report:**

The Council through area board efforts made presentations, conducted trainings and provided individual advocacy to families of young children with developmental disabilities about their rights and responsibilities. They also helped publicize events in their communities that were geared to parents of children with developmental disabilities.

Topics included:

- "Exploring the World of Real Play for Children"
- "Inclusion of Children with Diverse Disabilities"
- "Early Intervention, Autism and Developmental Disabilities"

<b>Performance Measures</b>	<b># People w/DD</b>	<b># Families</b>	<b>Other</b>
<b>CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.</b>			<b>446</b>
<b>ED12 Parents trained regarding their child's educational rights</b>		<b>66</b>	



**Goal #8 The State of California will adopt an Employment First policy which reflects inclusive and gainful employment as the preferred outcome for working age individuals with developmental disabilities.**

**Area of Emphasis Planned for the Goal:** 1) Employment

**Strategies Planned for this goal:** 1) Barrier Elimination 2) System Design & Redesign 3) Informing Policymakers

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Employment 2) Choose an item. 3) Choose an item. 4) Choose an item. 5) Choose an item.

**Strategies Used:** 1) Informing Policymakers 2) Interagency Collaboration & Coordination 3) Barrier Elimination 4) Informing Policymakers 5) Choose an item.

**Intermediaries/Collaborators Used for this Goal:** ☐ Disability Rights CA ☒ Centers for Excellence  
☒ DDS

**Others:**

- Association of Regional Center Agencies and self-advocates

## Objectives

**8.1 The State Council's Employment First Committee will continue to identify strategies and monitor progress towards implementation of the employment first policy.**

**Implementation Activities:** 1. Interagency and stakeholder collaboration and policy promotion 2. Monitoring 3. Systemic advocacy

**Target Date:**

**Anticipated Target Date:** 1. At least quarterly years 1 and 2, convene and staff the Employment First Committee. 2. Years 2 to 5 request and analyze data from key stakeholders to assess progress toward increased employment numbers. 3. On an ongoing basis, advocate for legislative and regulatory changes designed to remove barriers and advance opportunities to employment.

● Met      ● Partially Met:      ● Not Met:

**Annual Progress Report:**

As a result of legislation passed in 2009 the Council was charged with establishing an Employment First Committee (EFC), to adopt a state Employment First policy to promote inclusive and gainful employment as the preferred option for working age individuals with developmental disabilities.

The main directives of the legislation were to:

- Identify the roles and responsibilities of state and local agencies in enhancing integrated and gainful employment opportunities for people with developmental disabilities;
- Identify strategies, best practices and incentives for increasing integrated employment and gainful employment opportunities for people with developmental disabilities, improving the transition process for students 14 years and older and developing partnerships to increase participation by public and private employers;
- Recommend legislative, regulatory and policy changes for increasing integrated employment, self-employment, and the use of microenterprises for people with development disabilities;
- Annually submit a report to legislature and governor describing the EFC's work and recommendations.

During federal fiscal year 2011-12 the Employment First Committee met four times to strategize on how best to implement an employment first policy. The EFC membership is comprised of service recipients, state agencies and advocacy organizations.

One of the main accomplishments was submitting the mandated report to the governor and legislature, **"EMPLOYMENT FIRST, A vision of Californians with developmental disabilities working in competitive integrated employment."** The report included 23 goals and numerous strategies for improving the employment of persons with disabilities.

The recommended Employment First Policy California was:

***"It is the policy of the State of California that integrated competitive employment is the priority outcome for working age individuals with developmental disabilities."***

In plain language:

***"Work is for all"***

The Council also sponsored legislation and worked hard to pass two bills, Assembly Bill 254 and Assembly Bill 2338, aimed at establishing an employment first policy in statute. Both bills failed to pass.

Hampering the passage of AB 254 and AB 2338 was the state's dire financial condition which resulted in close scrutiny of the bill's potential costs to the state. Further there was an erroneous fear that Employment First would broaden the entitlement of the state's Lanterman Act such that all working-age persons with a developmental disability would receive a prevailing wage job and that there would be an increase in costs due to the increased usage of programs to support individuals in their jobs.

Performance Measures	# People w/DD	# Families	Other
Choose an item.			

**Goal #9 Working age adults with developmental disabilities have the necessary information, tools and supports to succeed in inclusive and gainful work opportunities**

**Area of Emphasis Planned for the Goal:** 1) Employment

**Strategies Planned for this goal:** 1) Outreach 2) Barrier Elimination 3) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Planned for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Employment 2) Education 3) Choose an item. 4) Choose an item. 5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Barrier Elimination 5) Supporting & Educating Communities 6) Interagency Collaboration & Coordination 7) Demonstration of New Approaches

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- County Office Of Education-Adult programs
- Regional Center
- Community college
- Regional Center;
- Mains'l's College Plus Program
- Community College Disabled Student Programs & Services
- Family Resource Network;
- County Public Health
- Through the Looking Glass
- County Dept. of Child Support Services
- County DD Council;
- Community Colleges
- local school districts
- State University
- United Cerebral Palsy
- Social Security Administration;
- County of San Diego
- Exceptional Family Resource Center
- San Diego Committee on Employment for People with Disabilities

## Objectives

**9.1 The Council will collaborate locally with others to expand employment and self-employment opportunities for individuals with developmental disabilities.**

**Implementation Activities:** 1. Outreach & Publicity 2. Recognize employers 3. Outreach and TA 4. Develop/ replicate models

**Target Date:**

**Anticipated Target Date:** 1) On an annual basis at least, publicize successful employment initiatives & encourage replication through web, workshops & other. 2) Yearly, collaborate with others recognize employers and providers who have developed successful models 3) As requested, provide technical assistance to generic/other government employment resources to improve their ability serve people with developmental disabilities effectively. 4) Year 3, if needed, invite grant applications to increase employment outcomes.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

The California overall rate of unemployment is 9.8 percent and people with disabilities that rate was 17.7 percent as of September 2012. The Council through area board efforts is trying to help Californians with developmental disabilities find gainful employment or help start their own businesses.

The Arts and Performance Studio grant program grew from 7 to 17 individuals. Program participants gained self-awareness, developed computer skills, and assembled artist's portfolios. Artists received support starting from art facilitation to technical assistance in displaying for exhibition, participating in shows and performing arts, and self-employment. Artists have begun to earn income from their art with sales nationally and internationally. TAPS Gallery is centrally located and the community has Art Walks which regularly showcases their work.

Working collaboratively with the Glenn County Office of Education the Rusty Wagon Adult Vocational Program was created to be an Adult Vocational Program and store front for individuals with developmental disabilities. Rusty Wagon provides employment, training, and entrepreneurial opportunities in the areas of retail sales, marketing, customer service, food service and product development. The store sells locally and regionally produced items including fresh produce and an art wall for artisans and crafters. The program also uses the U.C. Berkeley training curriculum "Staying Safe at Work" and also has a self-advocacy program. During the fiscal reporting period the Rusty Wagon program started with two employees, called Associates, and added two more. The program is working to expand the store to provide more employment opportunities to consumers who will be graduating/completing high school.

Through a grant awarded to the Mother Lode Micro Business three people started their own micro businesses. Mother Lode also gave presentations across the mountain counties and co-hosted a micro business fair. The program helps people in developing a business plan, research and development of the business plan (work permits, fiscal business plan, and business advisor). Three individuals started their own businesses. One person started her own jewelry making business, one began his own recycling business and the third person is selling personal artwork of drawings and photography. There is a fourth person who is nearing completion of his children's book and has secured a publisher.

With the assistance of area board grant funding, the North Orange County Community College District's, "Hands On Job Training Project", provided training to 11 students in the School of Continuing Education's Independent Living Skills Program. Project job trainers were paired with students volunteering in various



jobs on campus to enhance their work and social skills and help them increase their options for paid employment after graduation. Students worked on campus as aides in the faculty child care program; administrative assistants in campus offices and in the campus restaurants. One of the students who worked in the on-campus restaurant has been hired by the restaurant.

Working with Disability Rights California (DRC) area boards hosted trainings by DRC's Client Advocacy Program attorney on such topics as employment rights and resources for consumers and families.

An area board worked with Jobtoberfest, which is San Diego's largest Job Fair for people with disabilities. The event provided opportunities to meet with employers and have resumes reviewed. Workshops included such topics as "Working the Disabled Program". There were over 1300 in attendance.

Performance Measures	# People w/DD	# Families	Other
EM01 Adults have jobs of their choice through Council efforts	25		
EM02 Dollars leveraged for employment			\$3300
EM07 People trained in employment		36	
EM06 People facilitated employment			1300
ED09 People facilitated inclusive education			108

**9.2 The Council collaborates with colleges, federal partners and others to develop and expand post-secondary educational (PSE) options, work training programs, National service, internships and other opportunities that lead to inclusive and gainful employment.**

**Implementation Activities:** 1. Outreach and information 2. Systems Advocacy with legislators and PSE entities

**Target Date:**

**Anticipated Target Date:** Ongoing, a) publicize successful models and/or funding opportunities for PSE and encourage replication using web and other means; b) Educate youth, their families and relevant professionals as to the benefits of post-secondary education, training and internships at conferences and other training events. 2) On a regular basis, encourage policymakers to enhance/expand access to PSE. Work with existing PSE entities to improve upon accessibility and availability of an array of accommodations

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

Area boards collaborated in promoting the expansion of Mains'l's College Plus Program to Shasta community college. There are currently supporting 10 regional center college students at another Butte community college. The College Plus program is designed to provide support and assistance to young adults, who are interested in pursuing a college degree or academic certificate, to advance their education and career goals. The College Plus program provides weekly follow-along support on academic goals. In addition, the program teaches: Social skills including developing and maintaining friendships and pursuing leisure interests and hobbies; independent living skills including maintenance of a clean, well-kept home, nutrition basics, money management; vocational skills including resume development, networking skills, application and interview training, as well as seeking volunteer opportunities.

Another area board is a participating member on the Advisory Committee (AC) to the College to Career (C2C) program at Santa Rosa Junior College, one of five demonstration C2C projects. The AC provides technical assistance and advice to the program. A total of 44 students are in the program, 24 are in their first year and 20 in their second of three years.

Collaboration with several agencies including a regional center, Family Resource Network, County Public Health and County Department of Child Support Services, resulted in a conference on post-secondary education opportunities. This conference, provided families with transition-age youth with I/DD a look into what it takes to get into community colleges and universities. It addressed major differences between high school and college life, what kinds of supports are available, and where to start.

Assistance, referral and information was provided for the creation and implementation of Wayfinder Program to enable clients to attend California State University, Fresno (CSUF). Wayfinders at CSUF is an inclusive postsecondary program for young adults with intellectual/developmental disabilities. The Wayfinders Program is housed under the Kremen School of Education and Human Development. Academic courses in the Wayfinders Program are offered through the Division of Continuing and Global Education. Students in the Wayfinders Program enroll in general university courses as well as specialized Wayfinders classes which support them in academics and independent living skills.

Students in the Wayfinders Program live in the Palazzo Apartments at Campus Pointe, where the residential component of the program is implemented. The Residential Living Coordinator supports students in their life skills at the apartments, along with Student Coaches who work with students in their apartments.

12 students were offered a week long "College Bound" program to offer the college experience, as well as necessary classes (note taking, active listening, study skills, etc.) to students either currently taking college

classes, or those students in the transition process who are interested in attending college post high school. The week long program was held on the campus of the University of San Diego, and the students lived in dormitories, attended classes during the day, and participated in campus wide activities in the evening, as well as some tailored activities to address social skills and group participation. Scholarships were given to all students in need, thanks generous contribution from the Foundation for Developmental Disabilities.

<b>Performance Measures</b>	<b># People w/DD</b>	<b># Families</b>	<b>Other</b>
<b>ED01 Students have the education and support they need to reach their educational goals through Council efforts</b>	71		
<b>ED05 Dollars leveraged for education</b>			\$3500
<b>ED10 People trained in inclusive education</b>			40
<b>ED12 Parents trained regarding their child's educational rights</b>		85	



**9.3 Individuals with developmental disabilities, their families and others who support them are informed about the benefits and opportunities of employment through trainings, workshops and conferences.**

**Implementation Activities:** 1. Education and Outreach

**Target Date:**

**Anticipated Target Date:** Annually, at least 10 trainings/webinars/workshops on the topic will be provided in collaboration with local partners

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

Area boards conducted many presentations across the state regarding Social Security benefits, Ticket to Work, Plans for Achieving Self-Support and In-Home Supportive Services (IHSS).

Collaborated with Social Security Administration to facilitate article/website "Why Work is Good" which explains the relationship with employment and benefits and why working is good. Social Security Administration provided training on Social Security 2012 Red Book - a summary guide to employment supports for persons with disabilities under the Social Security Disability Insurance and Supplemental Security Income Programs.

Provided training on In Home Support Services. The training was put on a CD, and offered to agencies to use when training staff and individuals about IHSS.

Facilitated a meeting between San Diego Chamber of Commerce and the San Diego Committee on Employment for People with Disabilities (SDCEPD) committee as well as a self-advocate board member to discuss the local employment situation. Other topics discussed were Employment First legislation, advantages to hiring people with disabilities, available supports through various agencies and to share information about Jobtoberfest.

Performance Measures	# People w/DD	# Families	Other
<b>EM07 People trained in employment</b>	<b>11</b>		
<b>CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.</b>			<b>300</b>
<b>CS05 People trained in formal/informal community supports</b>			<b>188</b>

**Goal #10 Individuals with developmental disabilities understand their options regarding health services and have access to a full range of coordinated health, dental and mental health services in their community.**

**Area of Emphasis Planned for the Goal: 1) Health**

**Strategies Planned for this goal: 1) Outreach 2) Training 3) Supporting & Educating Communities**

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used: 1) Health 2) Choose an item. 3) Choose an item. 4) Choose an item. 5) Choose an item.**

**Strategies Used: 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities 5) Interagency Collaboration & Coordination**

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- County Health Services Agency
- Northern Valley Indian Health Dental Clinic;
- We Care a Lot Foundation
- People First
- Autism Community Team (ACT);
- Regional Center
- Autism Health Advocates.

## Objectives

**10.1 Self-advocates, family members and advocates will receive information/training on, Medi-Cal (Medicaid) managed care and the implementation of the 1115 waiver and other health related initiatives, including the availability of alternative sources for free or low cost health care services.**

**Implementation Activities:** Information and Education

**Target Date:**

**Anticipated Target Date:** Year 1 and 2, produce and/or distribute information that will assist in understanding available options for health care.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

The Council through the area boards helped promoted community medical screenings for low income people or with no insurance, health care issues and held Town Hall meetings on Senate Bill 946, a recent autism insurance legislation that provides coverage for behavioral health treatment for pervasive developmental disorder or autism.

An area board facilitated a self-advocate to teach two hygiene classes "Clean Hands" and "Clean Teeth" to other consumers. Clean Hands teaches proper hand washing techniques with the goal of preventing disease and Clean Teeth teaches proper tooth brushing and flossing. 14 presentations were done with almost 400 consumers.

An area board helped facilitate a collaborative venture with Autism Community Team (ACT), a behavioral treatment service provider and an autism advocate agency to provide training for parents on how to secure insurance coverage for Applied Behavior Analysis (ABA), speech and occupational therapy services for their children with autism.

At the Facilitated Health Summit for Family Voices families learned budget and policy issues that affect children with special health care needs both at state and federal level. Two legislators who chair Senate Budget Committee and Subcommittee Senate Budget spoke to the group of about 120 individuals (parents and professionals).

An area board collaborated with Disability Rights California (DRC) on an issue where people were being charged by their doctor to complete forms by helping people to learn to advocate for themselves.

In collaboration with San Diego People First and the San Diego Regional Center's Health and Wellness committee held a day long self-advocate led Leadership Symposium. The symposium offered training on the topics of "Healthy Eating", "Stress Reduction", "Exercises for Everyday Living" and "Being Your Own Health Care Advocate".

Performance Measures	# People w/DD	# Families	Other
HE04 People improved health services			600
CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.			450

<b>10.2 The Council will monitor the transition to Medi-Cal (Medicaid) managed care at the county level, advocate and assist individuals in the process so as to ensure effective access to needed services.</b>			
<b>Implementation Activities:</b> Information and Education			
<b>Target Date:</b> <b>Anticipated Target Date:</b> Year 1 and 2 and as needed thereafter Cosponsor trainings/workshops/webinars and participate in health fairs that educate individuals with developmental disabilities and their families on the process and their options as managed care is implemented. Provide individual advocacy when requested and needed. <input checked="" type="radio"/> <b>Met</b> <input checked="" type="radio"/> <b>Partially Met:</b> <input checked="" type="radio"/> <b>Not Met:</b>			
<b>Annual Progress Report:</b>  Nothing to report, see other objectives.			
<b>Performance Measures</b>	<b># People w/DD</b>	<b># Families</b>	<b>Other</b>
Choose an item.			

**Goal #11 Individuals with developmental disabilities have access to affordable and accessible housing that provides control, choice and flexibility regarding where and with whom they live.**

**Area of Emphasis Planned for the Goal: 1) Housing**

**Strategies Planned for this goal: 1) Outreach 2) Supporting & Educating Communities 3) Coordination with related Councils, Committees and Programs**

**Intermediaries/Collaborators Planned for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used: 1) Housing 2) Choose an item. 3) Choose an item. 4) Choose an item. 5) Choose an item.**

**Strategies Used: 1) Outreach 2) Training 3) Technical Assistance 4) Interagency Collaboration & Coordination 5) Supporting & Educating Communities**

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- Regional Center

## Objectives

**11.1 The Council will participate in regional centers' resource development and implementation of their Community Placement Plan to facilitate the movement of residents of developmental centers into community based living arrangements of their choosing.**

**Implementation Activities:** Review applications and Provider Selection

**Target Date:**

**Anticipated Target Date:** 1) Annually, as requested, at the local level, review grant applications to regional centers for program development to move residents of state institutions into the community or to prevent individuals from being placed into an institution. 2) Over the course of 5 years, participate in at least 10 panel discussions and selection of providers for these programs.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

Collaborated with regional centers in the development of new homes and day programs to serve the needs of individuals coming out of -- or at risk of placement into -- state developmental centers through the Community Placement Plan (CPP). Reviewed over 45 proposals and interviewed more than 18 potential service providers before awarding contracts to those selected. During the year at least 34 individuals were either deflected from institutional placement or made the transition from DC to community living.

Performance Measures	# People w/DD	# Families	Other
HO02 People moved from congregate settings to homes in the community	34		
HO05 Housing programs/policies created/improved			18

**11.2 At least 100 individuals with developmental disabilities and their families will receive information on available housing options.**

**Implementation Activities:** 1. Advocacy 2. Education.

**Target Date:**

**Anticipated Target Date:** 1) On a yearly basis respond to at least 20 individual advocacy requests regarding housing 2) Yearly, cosponsor trainings, workshops, webinars, conferences, housing summits etc. regarding housing for people with developmental disabilities

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

The Council through area board efforts helped people with developmental disabilities and their families on housing issues through individual advocacy and the promotion of affordable housing opportunities. Numerous presentations on housing rights were held.

<b>Performance Measures</b>	<b># People w/DD</b>	<b># Families</b>	<b>Other</b>
<b>HO01 Individuals have homes of their choice through Council efforts</b>	<b>2</b>		
<b>HO02 People moved from congregate settings to homes in the community</b>	<b>1</b>		
<b>HO10 People trained in systems advocacy about housing</b>			<b>27</b>
<b>CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.</b>			<b>300</b>



**Goal #12 Affordable and accessible housing units are developed in local communities to expand housing options for individuals with developmental disabilities.**

**Area of Emphasis Planned for the Goal:** 1) Housing

**Strategies Planned for this goal:** 1) Supporting & Educating Communities 2) Informing Policymakers 3) Coordination with related Councils, Committees and Programs

**Intermediaries/Collaborators Planned for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Housing 2) Choose an item. 3) Choose an item. 4) Choose an item. 5) Choose an item.

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities 5) Interagency Collaboration & Coordination 6) Demonstration of New Approaches 7) Informing Policymakers

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- City Housing Authority
- County of Housing Authority;
- People First;
- Housing Consortium of the East Bay;
- California Department of Housing & Community Development (HCD);
- Regional Center
- Association of Bay Area Governments (ABAG);
- Satellite Housing;
- California Tax Credit Allocation Committee;
- Alameda County HOME funds;
- Federal Home Loan Bank of San Francisco
- Affordable Housing Program through the Bank of Alameda;



## Objectives

**12.1 The Council will collaborate with local non-profit housing corporations to monitor and influence the housing plans of municipalities to reflect the needs of individuals with developmental disabilities.**

**Implementation Activities:** Systemic Advocacy

**Target Date:**

**Anticipated Target Date:** Ongoing, as needed, support local housing non-profit corporations who advocate for increased housing stock for people with developmental disabilities by writing letters, attending meetings, providing testimony, etc.

● Met      ● Partially Met:      ● Not Met:

**Annual Progress Report:**

### Issues & Barriers:

California, according to census data, has one of the highest median rents in the country at approximately \$1100 and a percentage of incomes at 33.8% in the country.<sup>1</sup>

The Council through area boards collaborated with local non-profit housing corporations to monitor and influence the housing plans of municipalities to reflect the needs of individuals with developmental disabilities. Housing Elements of five cities were approved by California Department of Housing & Community Development (HCD) reflecting their compliance with the new requirement that "Housing elements must include an analysis of the special housing needs of the disabled, including persons with developmental disabilities," per California Senate Bill 812. For one city, this marked the first time in 21 years that HCD has approved its Housing Element.

Through area board collaboration, the City of Alameda announced that it had awarded Satellite Housing, in partnership with the Housing Consortium of the East Bay, \$5.7 million to build Jack Capon Village on the current site of a city parking lot near the Alameda Police Department headquarters. The city will make 19 units of affordable housing at the development available to households in which at least one member has a developmental disability and total household income is at or below 50 percent of the area's median income. Tenants will pay 30 percent of their adjusted monthly income for rent. The California Tax Credit Allocation Committee is providing the funding, and the expenditure will have no effect on the city's General Fund. Construction is scheduled to begin this fall. In addition to the \$5.7 million, the project received \$300,000 in Alameda County HOME funds, \$180,000 from the Federal Home Loan Bank of San Francisco Affordable Housing Program through the Bank of Alameda, \$1.4 million in redevelopment funds from the City of Alameda and donated land from the Housing Authority of the City of Alameda.

In one area board catchment area staff is working with developers of apartment buildings to set aside units for people with developmental disabilities. One of the selling points is that many people with developmental disabilities come with supports. These can include regional center case management, Independent Living Services (ILS), Supported Living Services (SLS), or In-Home Support Services (IHSS) that will give them the support needed to lead an active and inclusive life in the community.

<sup>1</sup> Source: U.S. Census Bureau, Census 2000 Brief, Housing Costs of Renters: 2000 (C2KBR-21)  
<http://www.census.gov/prod/2003pubs/c2kbr-21.pdf> (accessed October 4, 2010); 2010 American Community Survey (B25064 and B25071)

<http://www.ipsr.ku.edu/ksdata/ksah/housing/4house10.pdf>

Area boards collaborated with the housing agencies in the mountain counties along with supported living vendors, apartment owners and managers to increase affordable and accessible housing. One way they accomplished this by having the availability of a central contact person at the Housing Authority that supported living service providers could contact. This helped with communication between agencies that are assisting people when looking for affordable and accessible housing. Also apartment managers and owners are willing to work with people with developmental disabilities in regards to deposits and credit checks because of this network of individuals, regional center and supported living agencies.

Performance Measures	# People w/DD	# Families	Other
HO03 Dollars leveraged for housing			\$947,500
HO05 Housing programs/policies created/improved			8

**12.2 The Council will identify and advocate for legislative and regulatory changes designed to increase the availability of affordable housing, including the opportunity for home ownership by individuals with developmental disabilities.**

**Implementation Activities:** 1. Policymaker education and systemic advocacy

**Target Date:**

**Anticipated Target Date:** Ongoing, as needed 1) In collaboration with federal partners, other partners, individuals with disabilities and their families educate policy makers on proposals that will increase or jeopardize the availability of affordable housing for individuals with developmental disabilities – on going 2) Monitor legislation

● Met      ● Partially Met:      ● Not Met:

**Annual Progress Report:**

No activity this year

Performance Measures	# People w/DD	# Families	Other
Choose an item.			

**12.3 The Council will publicize and oppose incidents of “not in my back yard” (NIMBY). The Council will collaborate with federal partners, advocates, public interest law firms, and others to ensure that the media and government officials are aware of these incidents.**

**Implementation Activities:** 1 Monitor NIMBY incidents 2 Education and Publicity

**Target Date:**

**Anticipated Target Date:** As needed: 1. Become aware of NIMBY incidents. 2. Contact the media, local officials, fair housing advocates and policy makers. Educate the public through letters to the editor etc.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

The Los Angeles City Council proposed an ordinance to regulate the use of single family dwellings as “boarding houses.” It specifically targets “nuisance” homes such as halfway houses for people recovering from drug or alcohol abuse. There were two provisions that, when combined together, would potentially harm people with disabilities. The first would define a boarding house as any home where the adults (over 18) are on separate leases. Secondly it would establish that boarding houses will not be permitted in restricted density (RD) zones, which includes most residential neighborhoods.

The problem arises in the fact that many people with disabilities share homes to save on expenses and many are on Section 8 that requires each person to have a separate lease. If enacted, this ordinance would severely limit where people in these arrangements can live or force them into licensed living environments.

This ordinance does not affect homes that are licensed. The impact will be felt primarily in supported living and independent living arrangements.

Area board staff educated regional center boards of directors and vendor advisory committees on Los Angeles City’s proposed NIMBY (Not In My Back Yard) ordinance. They also met with Los Angeles City Council members regarding the proposed ordinance. Area board also collaborated with Disability Rights California (DRC) and other community agencies to raise awareness about the ramifications of LA City’s proposed NIMBY ordinance.

The Los Angeles City Council had tabled the ordinance for further review, but after a quadruple murder at an unlicensed boarding house that housed more than 17 people in four bedrooms the ordinance was re-introduced and passed. The author of the ordinance did make one concession in that he made the definition of a boarding house requiring a license where the adults (over 18) are on more than three separate leases; instead of each individual tenant has a lease.

Performance Measures	# People w/DD	# Families	Other
HO05 Housing programs/policies created/improved			1
CC01 Public policymakers educated by Council about issues related to Council initiatives			50

**Goal #13** Individuals with developmental disabilities and their families have access to community based services and supports available to the general population (such as recreation, transportation, childcare, etc.) that enable them to live productive and inclusive lives.

**Area of Emphasis Planned for the Goal:** 1) Quality Assurance 2) Community Supports

**Strategies Planned for this goal:** 1) Training 2) Coalition Development & Citizen Participation

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Recreation 2) Transportation 3) Childcare 4) Community Supports 5) Choose an item.

**Strategies Used:** 1) Training 2) Outreach 3) Technical Assistance 4) Supporting & Educating Communities 5) Interagency Collaboration & Coordination 6) Barrier Elimination 7) Choose an item.

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- Community College
- Regional Center
- Pinoleville Tribe
- SELPA
- County Community Transition Program
- Department of Rehabilitation
- Goodwill
- Rowell Family Empowerment
- Blue Ribbon Commission
- County Social Services
- Court Commissioners
- District Attorney's Office
- Early Start; Office of Education
- Public Health Department
- Volunteer Income Tax Assistance Program (VITA),
- Social Security Administration
- Child Protective Services
- Probation
- Alcohol and Drug Services
- Juvenile Court
- Office of the Public Defender.
- Positive Action Community Theatre
- Volunteer Assistance Program

## Objectives

**13.1** The Council will collaborate with and provide advice to local community agencies and organizations –including child care, recreation, transportation and others - to protect the rights of individuals with developmental disabilities and ensure their inclusion in the community.

**Implementation Activities:** 1. Participation and collaboration 2. Review Policies and Practices 3. Advocacy

**Target Date:**

**Anticipated Target Date:** 1) Ongoing participation in existing local forums to ensure that the needs of individuals with developmental disabilities are taken into account 2) As needed, Review policies and practices of generic community organizations to ensure that they are compliant with state and federal laws and that the language is easily understood. Respond as necessary 3) As appropriate, alert the appropriate authorities in the event that people with developmental disabilities are improperly excluded or marginalized.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

An area board worked with a multi-agency workgroup Blue Ribbon Commission to collaborate and provide training to address the needs and services of at-risk individuals and families in finding a differential response to their issues.

The Council through area boards participated in and advocated for the inclusion of children with developmental disabilities in the Childcare Planning Council's 5-year Strategic Plan and advocated and educated a local health club about accessibility issues.

Area boards provided information on VITA and Tax Assistance and counseling services for people with disabilities, low-income and elderly services. Also area boards provided space and outreach to the Volunteer Income Tax Assistance program so that people with disabilities would have a safe, comfortable, knowledgeable site to come and have their taxes done. Most individuals qualified for the Earned Income Tax Credit, and the organization that provided the tax preparers also provided information and resources to the participants regarding other generic resources that they would qualify for. A webinar was conducted on Social Security regarding employment for persons with disabilities, the "Ticket to Work" Program and other work incentives for Social Security recipients.

Area Board, mental health professionals, regional center staff, special education educators, Child Protective Services, probation, Alcohol and Drug Services, juvenile court, the district attorney office and Office of the Public Defender came together to collaborate in a forum presented by Alta California Regional Center on "Putting the Puzzle Together: Collaboration in Services to Special Needs Youth in the Juvenile Justice System." Area boards also made presentations and trainings to county district attorney's regarding Elder/Dependent Adult Abuse.

The Council through area boards collaborated with Escuela de la Raza (a First 5 Grant Recipient) and child care consortiums to provide training to increase awareness of inclusive childcare settings for children with developmental disabilities.

Through a grant provided to Positive Action Community Theatre (PACT) 30 individuals with developmental disabilities participated in an inclusive theatre and dance program. Students were paired with typical peers during this program, and community members received the benefit of these productions. Participants had a visible increase in their self-esteem, friendships, flexibility, cooperation and creativity.

Performance Measures	# People w/DD	# Families	Other
CS05 People trained in formal/informal community supports			800
CH07 People trained in systems advocacy about child care			100
RE01 People active in recreational activities through Council efforts	30		
RE02 Dollars leveraged for recreation programs			\$3393



**Goal #14 Public policy in California promotes the independence, productivity, inclusion and self-determination of individuals with developmental disabilities and their families.**

**Area of Emphasis Planned for the Goal:** 1) Education 2) Employment 3) Housing 4) Health 5) Childcare 6) Quality Assurance 7) Transportation 8) Recreation 9) Community Supports

**Strategies Planned for this goal:** 1) Barrier Elimination 2) Coalition Development & Citizen Participation 3) Informing Policymakers 4) Demonstration of New Approaches

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Education 2) Employment 3) Housing 4) Health 5) Childcare 6) Quality Assurance 7) Transportation 8) Recreation 9) Community Supports 10) Cross Cutting

**Strategies Used:** 1) Outreach 2) Training 3) Technical Assistance 4) Supporting & Educating Communities 5) Interagency Collaboration & Coordination 6) Barrier Elimination 7) Informing Policymakers 8) Coalition Development & Citizen Participation 9) Choose an item. 10) Choose an item.

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☒ Centers for Excellence  
☐ DDS

**Others:**

- East Bay Legislative Coalition
- Alameda DD Council
- Contra Costa DD Council
- CARE Parent Network
- Regional Center
- Family Resource Network
- Alive Consumer Action Committee

- County Public Health
- Nuestros Ninos
- Parents Helping Parents,
- State Department of Education
- SELPA
- School Districts

## Objectives

**14.1 The Council will take a position on proposed state and federal legislation and proposed regulations that impact people with developmental disabilities, will communicate those positions to legislators and their staff, and will disseminate this information to all interested parties.**

**Implementation Activities:** 1. Track and analyze relevant legislation 2. Submit position letters to legislators and post on web.

**Target Date:**

**Anticipated Target Date:** 1) Ongoing activity. Council Legislative Committee establishes meeting schedule each calendar year, to coincide with State Legislature's calendar to: a) Track and analyze relevant legislation b) Seek clarification from author or other key personnel as needed.

c) Ensure that the Council has sufficient information to take an informed position. d) Submit position letters to the relevant legislators and post on Council web site

● Met      ● Partially Met:      ● Not Met:

**Annual Progress Report:**

Legislative and Public Policy Committee (LPPC) met five times during the Federal fiscal year. It is comprised of Council members, family members of people with developmental disabilities and federal partners.

The LPPC took positions on 35 State Assembly bills, 18 State Senate bills, two Federal House of Representatives bills, and one Federal Senate bill. The Council also sponsored one bill, to advance an Employment First policy which did not pass. Council staff also worked with legislative staff to craft language and help build support for legislation. The Council sent out 53 position letters.

The area boards also took positions on federal, state and local legislation and regulations. They took positions on 16 State Assembly bills, 14 State Senate bills, and one Federal House of Representatives bill. Area Boards sent out 733 position letters

As part of State budget negotiations between the governor and legislature a series of "triggers" were inserted if the State did not bring in anticipated revenue. One of those triggers would be a \$200 million cut to the Department of Developmental Services (DDS). In anticipation of these cuts DDS held a series of stakeholder meetings across the state. The council was invited to participate and send a self-advocate and staff member to each. One suggestion that the Council brought was instead of sunseting a 4.5 % cut in regional center operations that it continue at 2.5%. Ultimately DDS settled on 1.25%.

An area board co-sponsored training for local nonprofit organizations regarding their ability to educate their legislators regarding issues that impact their constituents. The training was done by Pat Libby, author of the book "The Lobbying Strategy Handbook - 10 Steps to Advancing Any Cause Effectively". Copies of the book were distributed to participants, and all were encouraged to join the Disability Action Coalition.

Council and area board staff attended, publicized and testified before Legislative hearings on a variety of topics: California Department Developmental Disabilities Services budget hearings and law enforcement hearing, California Department of Health Care Services and California Assembly committee urging passage of the Employment First Bill, AB 2308.

Staff met with the California State Director of Special Education to discuss two critical issues. The first being the impact of trailer bill language regarding students 18-22 years old who receive regional center services to



remain in school versus the ability to leave school for adult services, secondly the impact of major changes in mental health services with the change in California legislation (AB 3632) and the elimination of active treatment provisions from local county mental health agencies,

<b>Performance Measures</b>	<b># People w/DD</b>	<b># Families</b>	<b>Other</b>
<b>CC01 Public policymakers educated by Council about issues related to Council initiatives</b>			<b>823</b>
<b>CS07 People trained in systems advocacy about formal/informal community supports</b>			<b>50</b>
<b>CS02 Dollars leveraged for formal/informal community supports</b>			<b>\$500</b>

**14.2 Legislators and local officials will be educated and informed on issues that impact the lives of individuals with developmental disabilities. Legislative staff will be encouraged to utilize the expertise of the Council on issues that impact the community.**

**Implementation Activities:** 1. Outreach to legislators 2. Involvement in Legislative initiatives

**Target Date:**

**Anticipated Target Date:** 1) On an ongoing basis, familiarize legislators and their staff with the Council through legislative visits, letters, phone calls and community events. 2) Provide leadership in regional task forces of the Senate Select Committee on Autism and other key coalitions to develop legislative, regulatory and local solutions to issues affecting individuals with developmental disabilities as requested.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

The Council and area boards educated and informed policymakers from school districts, city, county and the state levels on a wide range of topics that impacted people with developmental disabilities. Topics included: budget cuts to school districts, city, county and state budgets and legislation regarding Autism behavioral therapies. Policymakers were educated through face-to-face meetings, presentations, town hall meetings and forums.

Two Town Hall meetings on the "Impact of Budget Cuts on Services for People with Developmental Disabilities" were held. In attendance were two state legislators and 10 legislative staff, adults with developmental disabilities, and providers/professionals. The event also included a presentation by the Sonoma County Registrar of Voters.

One area board visited the office of a state senator with 5 parents/board members to express their concerns over the recent articles published regarding the deaths of residents in the developmental centers. They shared their concerns about the lack of appropriate community placements, as well as the recent threats to services. Parents shared the supports they received in their homes had, and the need to continue these services. A packet of information was left with legislative staff regarding what the Council and area boards do.

Assisted with the planning and execution of a Legislative Forum where numerous legislators and staff were present, with an audience of over 500 individuals. Senator Steinberg also gave a Proclamation to the local San Diego People First group in recognition of their achievements, and the Mayor of San Diego spoke as well regarding local issues. There was a resource fair and voter registration table.

Performance Measures	# People w/DD	# Families	Other
CC01 Public policymakers educated by Council about issues related to Council initiatives			114
CC02 Copies of products distributed to policymakers about issues related to Council initiatives	250		860
CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.			860

**14.3 The Council will use media, internet, arts and entertainment and social networking to educate the general public about individuals with developmental disabilities.**

**Implementation Activities:** 1. Media Outreach 2. Use of new media

**Target Date:**

**Anticipated Target Date:** 1) Yearly Participate in at least 2 radio/television/other media interviews 2) Year 1 Explore use of social media outlets, internet, etc. to identify forums for informing the general public on the contributions of individuals with developmental disabilities. Year 2 Implement the most effective options for outreach. Ongoing thereafter, Maintain whatever modes are used so they are up to date and relevant

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

Area boards created monthly e-newsletters and E-Distribution lists that are sent to self-advocates, families, care providers, professionals and the general public about issues important to people with developmental disabilities. These included changes to health care, In-Home Support Services (IHSS), voting, conservatorships, state budget cuts, local community activities to name a few.

Staff appeared on radio shows to educate the public about important issues to people with developmental disabilities. One was Mind, Body, Health Radio Interview and Public Call-in regarding Fetal Alcohol Spectrum Disorder (FASD) and community resources available. Another guest appearance on "Nuestros Ninos," a Spanish language program on parenting focused on special needs of children with developmental disabilities.

In collaboration with The MIND Institute, an area board provided a \$20,000 Program Development Fund grant to develop an Autism Distance Education Parent Training (ADEPT) module on "Using Positive Behavior Supports and Strategies" which will offer information that is based on sound evidence, directed to parents and accessible anytime via internet or DVD and to translated the content into Spanish.

A transition portfolio was developed as a resource for youth and their families to help them better understand what an individual transition plan (ITP) is and when it should begin. The resources further provide training materials on what transition services are and who participates to implement these services.

CDs were produced with information on all the services offered by area boards, including but not limited to: advocacy, training, due process, IPPs, IEPs, and trailer bill language.

An area board collaborated with county public health department in filming a video about employment. It discusses Joel's path for success in utilizing the Project Search Program. The short video is expected to be on display for next year's American Public Health Conference. Another video about equity was also created. It focuses on several individuals' struggles and successes in accessing public services. One of the stories is based on accessing dental services through Medi-Cal. Another story focuses on getting a wheelchair serviced.

A booklet on Abuse was create for training and treatment resources, Placed online as well as distributed to Regional Centers, Family Resource Centers and other agencies.

Performance Measures	# People w/DD	# Families	Other
CC02 Copies of products distributed to policymakers about issues related to Council initiatives			690
CC03 Members of the general public estimated to have been reached by Council public education, awareness and media initiatives.			11,039

**Goal #15** Individuals with developmental disabilities and their families have access to information and resources in ways that reflect their language and cultural preferences.

**Area of Emphasis Planned for the Goal:** 1) Education 2) Employment 3) Housing 4) Health 5) Childcare 6) Quality Assurance 7) Transportation 8) Recreation 9) Community Supports

**Strategies Planned for this goal:** 1) Supporting & Educating Communities 2) Other

**Intermediaries/Collaborators Planned for this Goal:** ☐ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Area of Emphasis Used:** 1) Education 2) Employment 3) Housing 4) Health 5) Childcare 6) Quality Assurance 7) Transportation 8) Recreation 9) Community Supports

**Strategies Used:** 1) Outreach 2) Supporting & Educating Communities 3) Interagency Collaboration & Coordination 4) Informing Policymakers 5) Choose an item.

**Intermediaries/Collaborators Used for this Goal:** ☒ Disability Rights CA ☐ Centers for Excellence  
☐ DDS

**Others:**

- SELPA
- community service providers
- Social Security Administration
- Regional Center
- Rowell Family Empowerment
- Family Voices
- Grupo de Autismo
- Family Resource Network
- Dominican University
- Senate Select Committee on Autism
- County Developmental Disabilities Council
- Congreso Familiar

## Objectives

**15.1** Materials developed by the Council will be translated into threshold and plain languages.

**Implementation Activities:** 1. Translate and Adapt all documents

**Target Date:**

**Anticipated Target Date:** 1. Years 1--5 All information developed by the Council will be translated into threshold languages and into plain language.

● **Met**      ● **Partially Met:**      ● **Not Met:**

**Annual Progress Report:**

California is one of the most linguistically diverse states in the country and is home to more than 50 languages, as of 2005.<sup>2</sup> The Department of Motor Vehicles offers the written exam in 31 languages. The most spoken languages are English, Spanish, Chinese, Tagalog, Japanese, Korean, and Vietnamese. This diversity of languages can also be a barrier to providing services, especially for some of the more obscure languages. In the Central Valley of California we have a significant Hmong population, but have very few service provider staff that speaks that language. Many times you have children who have learned English in schools and have to translate complex issues to parents and other family members who do not comprehend English.

The Council through the area boards has worked to make sure as many people, whose primary language is not English, receives information in their native language about their rights and responsibilities as well as community supports and other topics. Area boards have provided interpreters at trainings and presentations, staff that are fluent in other languages have made presentations in those languages and materials have been translated into several languages.

Languages that the Council provided were: English, Spanish, Mandarin/Chinese, Tagalog, Hmong and Korean.

The Council has also made providing materials in Plain Language a high priority. All material produced for the Statewide Self-Advocate Network (SCAN) was in Plain Language. The Council's 2012-16 state plan was also written Plain Language and placed on the Council's website.

"Journey To Adulthood Training" through a grant with the Rowell Family Empowerment provided training to parents of teens with developmental disabilities to educate their children about their bodies, personal care, and safety and social challenges to Spanish speaking parents.

2012 Transition Faire sponsored by Butte County and Glenn County SELPA's had 35 Vendors and about 80 families and students. Materials were provided in English, Spanish and Hmong, as well as interpreters provided.

Performance Measures	# People w/DD	# Families	Other
CS05 People trained in formal/informal community supports			910

<sup>2</sup> [http://www.mla.org/cgi-shl/docstudio/docs.pl?map\\_data\\_results](http://www.mla.org/cgi-shl/docstudio/docs.pl?map_data_results)

### **SECTION III: SATISFACTION WITH COUNCIL SUPPORTED OR CONDUCTED ACTIVITIES**

#### **Section III. a. Individual Responses**

1. Number of responses: 134
2. Respect: I (or my family member) was treated with respect during project activity.  
    97 % Yes  
    1 % No
3. Choice: I (or my family member) have more choice and control as a result of project activity.  
    96 % Yes  
    1 % No
4. Community: I (or my family member) can do more things in my community as a result of project activity.  
    94 % Yes  
    1 % No
5. Satisfied: I am satisfied with project activity.  
    81 % Strongly Agree  
    16 % Agree  
         % Disagree  
    1 % Strongly Disagree
6. Better Life: My life is better because of project activity.  
    78 % Strongly Agree  
    19 % Agree  
    1 % Disagree  
    1 % Strongly Disagree
7. Rights: Because of this project activity, I (or my family member) know my rights.  
    86 % Yes  
    2 % No
8. Safe: I (or my family member) are more able to be safe and protect myself from harm as a result of activity.  
    72 % Yes  
    4 % No

9. Comments: Those comments with T at the end were translated from Spanish.

- Offered many resources to me that I was unaware of.
- Area Board helped me to advocate because I was bullied on the bus.
- Results in my son's IEP-services were accommodated and w/ cooperation from school.
- Because of Cindy's help, my daughter got into a school that can handle her behavioral outbursts.
- Things have improved at home since she's been in her new school.
- Denis is on my team. He is such a big help. I don't know what I'd do without him! Since Denis has helped me, I have grown so much. Thanks to him. He is a great and resourceful person. He listens to me and then tells me all my options.
- I was helped a lot to understand the rights of my children. T
- To know the rights and limitations of my son when he comes of age. There was a lot of information on a lot of areas like medical, payee and SSI benefits and everyday living. T
- Thank you, I was helped much. T
- Information about Power of Attorney; the conclusion that all people with disabilities can make the right decisions. T
- I was helped in preparation before my son turns 18 years old. I was helped in everything. Thank you for sending Mrs. Rocio who helped me very much in the class although it was short. God bless her. T
- I understood more about the rights of people with disabilities. I obtained information for those older than 18 years old and their rights. Thank you for coming. T
- I know my rights better. I am better able to advocate for my twin daughters. I understand how to get services better. I also know of many more services since working with AB VII.
- I have worked with ABVII for many years as I have needed their help.
- Staff is a great consultant by talking with me and understanding. They know more resources. Everything the staff has done for our family has been very helpful. I know my rights. I have a better life for my son and my family. Our lives began and changed very much.
- I have a 4 year-old daughter and in starting out in the schools, I was having problems. Area Board staff shared ideas, opinions, referrals for legal advice along with helping us choose our direction and building our own direction. Staff has done an amazing job in helping me. I am so thankful that I found ABVII. Now that we know our rights better, we are a game changer in getting the services for our daughter.



- I have worked with both Julie and Chris. Both were very knowledgeable, gave me clear information and advice, and helped me feel confident that I could advocate for my child. I really appreciate the attention and time I was given.
- "You teach me how to be my own advocate; I call you when I get frustrated with my counselor (SC) and you always help."
- Trying to navigate the SS System as a novice is nearly impossible. There are so many unknowns and so much material that need to be assembled-it has been GREAT to have some direction and help.
- What has been most helpful was all the information shared by presenters plus participants. Great job! This is my first time attending Area Board 13's training tools. Thank you for providing these services.

### Section III. b. Stakeholders Responses

1. Number of responses: 58
2. Impact: Council activities have improved the ability of the individuals with developmental disabilities and family members to:
  - a. Make choices and exert control over the services and support they use
    - 62 % Strongly Agree
    - 28 % Agree
    - 9 % Somewhat Agree
    - 0 % Somewhat Disagree
    - 0 % Disagree
    - 0 % Strongly Disagree
  - b. participate in community life:
    - 66 % Strongly Agree
    - 22 % Agree
    - 10 % Somewhat Agree
    - 0 % Somewhat Disagree
    - 0 % Disagree
    - 0 % Strongly Disagree
3. Satisfaction: Council activities promote self-determination and community participation for individuals with developmental disabilities.
  - 22 % Strongly Agree
  - 67 % Agree
  - 4 % Somewhat Agree
  - 1 % Somewhat Disagree
  - 0 % Disagree
  - 0 % Strongly Disagree

#### 4. Comments:

### **What does Council/Area Boards do well?**

- Collaboration/provide resources local and state.
- From my experience in working with the AB I have noticed it has done well in outreach, supporting & educating communities, coordination with related councils, committees and programs and coalition development & citizen participation.
- AB was extremely supportive & communicative in assisting Congreso Familiar in our conference. Their help ranged from assisting with billing/paperwork to assisting in outreach for clients outside of our current county coverage.
- Area Board 6 gives good trainings with Family Resource Network.
- Supporting the family, responding to parents, offering additional technical support. Very valuable relationship/collaboration. Very responsive.
- The Area Board does all of the advocacy, capacity building and systemic change activities as well as they can, given cuts sustained over the first four years.
- Area Board 8 is very approachable- they work very hard to collaborate with other agencies and nonprofits to support clients. They educate and facilitate forums of discussion to help solve problems and remove barriers.
- Area Board 10 provides excellent opportunities for individuals with developmental disabilities to flex their voice; provides excellent facilitators to ensure each individual's point of view is heard and valued amongst their peers, ensuring the self-advocacy movement continues to grow and develop for generations.
- Interagency collaboration, coordination with related councils, committees & programs; barrier elimination, systems design & redesign; coalition development & citizen participation; informing policymakers.
- Melody Goodman has been an effective advocate on behalf of consumers by being present and vocal about transportation committees with MTA and Access. She has voiced concerns of the consumers regarding rider accessibility, eligibility and barriers presented by public and paratransit.
- I have experience in witnessing the Area Board professionalism in training, supporting and educating communities, coordination with related councils, committees and programs, barrier elimination, systems design and redesign.
- Outreach, training, technical assistance, supporting and educating communities, speech delay workshop, SSI training, IEP goals workshops, behavioral workshops, offers bilingual workshops.

- It is an awesome entity that advocates immensely to the needs of the developmentally disabled as well as their families. The staff is professional, compassionate, sensitive and very knowledgeable of issues that the consumer as well as their families are confronted with. The staff are staunch advocates in assisting consumers and families in navigating the resources that are available in the community.
- Area Board 13 provides excellent leadership in identifying and supporting needed programs and services particularly where there are gaps in the community. Area Board 13 has many connections in the community and brings diverse organizations, consumers and families together to work collaboratively on projects that have been a positive impact on people with disabilities, their families and the community in general.
- Michele Geving is a terrific member of the IHSS Advisory Committee. She has volunteered for subcommittees and was a lead member in helping to develop the Committee Mission Statement. Michele is a thoughtful listener and regularly shares insights during Committee meetings. Michele was chosen to be Committee liaison to the Statewide Advisory Committee membership organization. Michele is always professional and is a tremendous asset to the Area Board.

### **What could State Council/ Area Boards do better?**

- More training; outreach; demonstration of new approaches to services and supports
- It needs to have more demonstrations of new approaches to services and supports.
- It needs to do outreach to minority populations (which they have already actively started.)
- Wish they had a larger staff to be able to do more of the good things they do now.
- Coalition development, citizen participation; informing policymakers.
- Continue reaching out to different agencies to break down barriers.
- It needs to promote the self-advocacy movement to the younger generation.
- Area Board 10 can do better in providing more training opportunities for parents. The newsletter is great!
- Technical assistance, barrier elimination, systems design and redesign, demonstration of new approaches to services and supports.
- They provide a wonderful service to the San Diego and Imperial communities. They could provide better support with more staff...particularly a Spanish-speaking staff person based in the communities we serve.

## **SECTION IV: MEASURES OF COLLABORATION**

1. Identify the critical issues/barriers affecting individuals with developmental disabilities and their families in your State that the DD Network (The State DD Council, Protection and Advocacy Agency, and UCEDD) has jointly identified:
  - a. Increasing integrated competitive employment for working age adults with developmental disabilities.
  - b. Improving options for transitions across the lifespan.
  - c. Expanding the leadership of self-advocates
  - d. Maintaining and improving access to healthcare and long-term care.
  - e. Increasing the cultural and linguistic diversity of the DD workforce and policy making bodies.
2. Describe the strategies collaboratively implemented by the DD Network for at least one of the issues/barriers identified above:

In the area of employment, the Council works with the other DD Partners in large system-wide collaborations initiated by the Council and partners: (1) the Employment First Committee, established as a committee of the Council pursuant to legislation in 2009 and (2) the California Employment Consortium for Youth (CECY). The Council sponsored legislation seeking to establish an employment first policy in statute. (3) Supporting self-advocacy participation in employment issues through the Employment First Committee, CECY, and Statewide Self-Advocacy Network.

In the area of self-advocacy leadership, the Council issued a grant and provided other supports to support the formation of the Statewide Self-Advocacy Network (SSAN). The SSAN has representatives from all of the DD Partners, all the local area offices of the Council, the Department's Consumer Advisory Committee, and others. The SSAN focuses on leadership development, creating regional networks that feed into the statewide network, and improving the capacity of self-advocates throughout the state to have an influence on public policy affecting their lives.

### **3. Issue/Barrier:**

People with developmental disabilities served by the California Regional Center system are severely under-represented in the workforce, despite their desire to work and contribute to their communities. An example of this is garnered through the National Core Indicator (NCI) Survey which was conducted in California by the Council under contract to the Department of Developmental Services. The survey provides a demographic specific opportunity to obtain the employment status of a representative sample from across California of 8,724 adults with developmental disabilities . According to the NCI results, only 8% or 698 of those surveyed had a job in the community. Of those with jobs, 237 people were in Competitive Employment , 181 in Individual Placement Supported Employment , and 279 in Group Supported Employment (such as work crews and enclaves) .

Of the 92% that were not employed, survey results showed that 41% (3,291) of these individuals wanted a job. This translates to 38% of the total representative sample of adults with developmental disabilities who want to work, but were not working. If this were to be generalized to the whole regional center population, then there are roughly 48,000 unemployed working age regional center clients who want to work. It is therefore not surprising that while, in 2010, the regional centers expended \$776 million on day services, only \$82 million (or 11%) were expended on integrated employment – with far less expended on integrated competitive employment.

Barriers to employment are numerous. The collaboration between the Council and DD Partners have focused on the following: (1) There is no clear policy of the state that directs resources and effort towards increasing integrated competitive employment. (2) There had been no stakeholder forums focused on problem solving to improve employment outcomes. (3) Once young people enter community based non-work day services, or become served in segregated work settings, they have little likelihood of transitioning to integrated work. (4) There is inadequate access to post-secondary education and transition services that lead directly from school to integrated competitive employment. (5) Self-advocates have not been adequately involved in working with other stakeholders and Administration to develop strategies and disseminate critical information.

4. Provide a brief description of the collaborative strategies to address issue/barrier and expected outcome(s):

California Statute was amended in 2009 to add Section 4868 of the Welfare and Institutions code which establishes an Employment First Committee (EFC) reporting to the State Council on Developmental Disabilities. Pursuant to statute the EFC includes representatives from the California DD Partners: SCDD, DRC, and the three UCEDDs. The Chair of the Committee in 2012 was The UCLA UCEDD Director, Dr. Olivia Raynor. The Committee includes representatives from most major stakeholders, parents, self-advocates, and representatives of the Departments of Developmental Services, Education, Employment Development, and Rehabilitation

The EFC advises the Council on employment first policy and strategies to achieve improved employment outcomes.

In 2012, the Council, at the recommendation of the EFC, sponsored AB 254 and 2338 which would have created an Employment First Policy in statute. Both bills died, but the employment first policy legislation is now better positioned to succeed in the next legislative session. The Council worked especially closely with DRC and the UCLA UCEDD to educate legislators on the need for the policy. This included invited testimony at legislative hearings.

Another project where the Council works with all the DD Partners is the California Employment Consortium for Youth (CECY), 5-year employment systems change grant by The Administration on Intellectual and Developmental Disabilities to increase the number of youth and young adults with intellectual disabilities in integrated competitive employment (ICE). The State Council is a lead agency along with the Departments of Rehabilitation, Developmental Services and Education. The California Employment Consortium for Youth with Intellectual and Developmental Disabilities (CECY) is a 30 member highly knowledgeable and experienced employment work group comprised of the aforementioned lead state agencies, Youth Self-Advocates, Disability Rights California, the Family Resource Center Network of California, the Association of Regional Center Agencies, California Committee on the Employment of People with Disabilities, Community of Practice-Secondary Transition, UCLA Anderson School of Management, and the Tarjan Center UCEDD. Dr. Raynor of the Tarjan Center Chairs the consortium.

5. Check applicable areas of emphasis:

- ☐ Quality Assurance
- ☐ Education and Early Intervention
- ☐ Child Care
- ☐ Health
- ☒ Employment
- ☐ Housing
- ☐ Transportation
- ☐ Recreation
- ☐ Quality of Life
- ☐ Other – Assistive Technology
- ☐ Other – Cultural Diversity
- ☐ Other - Leadership
- ☐ Other – please specify:

6. Describe the DDC's specific role and responsibilities in this collaborative effort. Include any technical assistance expertise you can provide to other States in this area:

Council's Employment First Committee is a major focus of the efforts of the DD Partners, state agencies, stakeholders, self-advocates and parents to analyze the barriers to integrated competitive employment, recommend policy, develop strategies and priorities, and work together to implement strategies. The Council sponsored legislation to enact an Employment First Policy. The Council is a partner in CECY, created through the AIDD systems change grant, which is the other major forum for system wide collaboration. Both the RFC and CECY coordinate their work to avoid duplication of effort and create synergy. The Council supported the formation of the Statewide Self-Advocacy Network, which in part provides a forum for self-advocacy focus on employment.

7. Briefly identify problems encountered as a result of this collaboration, and technical assistance, if any, desired:

The Collaboration between the Partners have been relatively smooth, with the exception of the change in leadership at the Council and lack of staffing at the Council. However, the new Deputy Director of Policy and Planning has stepped in to represent the Council in the forums and committees described above. The Council is searching for a permanent Executive Director who will represent the Council to the Partners, while the Deputy will probably continue to represent the Council in most of the employment related forums.

8. Describe any unexpected benefits of this collaborative effort:

The CECY collaboration has led to a vibrant forum that engages the Administration, the DD Partners, and relevant stakeholders in an unusually vibrant and promising set of work groups. The work with the Administration on both the EFC and CECY has garnered constructive engagement from the Administration.

While supporting self-advocacy is necessary to the promotion of self-determination, it has proved to be difficult to support self-advocates in ways where they productively engage in policy and show leadership to their peers. The initial work in forming the Statewide Self-Advocacy Network has resulted in a dynamic group of leaders with high expectations and strong leadership capacity. Similarly, the self-advocacy leaders on the EFC have made important contributions to the committee's work.